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14 June 2019

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

Dear Andrew,

RAIB Report: Track worker struck by a train at Bulwell on 6 August 2012

I write to provide an update[1] on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 3 October 2013.

The annex to this letter provides details of the action taken regarding the recommendation. The status of recommendation 2 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 17 June 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

Proposed updated to RAIB

Recommendation 2

The intent of this recommendation is to ensure that the use of Red and Green Zone safe systems of work is being effectively monitored.

Network Rail should review the effectiveness of the current arrangements in place to monitor the usage of Red and Green Zone safe systems of work. It should identify and implement any appropriate measures identified as necessary for this monitoring to be effective.

ORR decision

1.   Network Rail have taken steps to improve the monitoring of the use of warning (Red Zone) and protection (Green Zone) safe systems of work and have provided us with detailed information showing how the use of warning and protection working is monitored in different routes as well as infrastructure projects.

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 implement it.

Status: Implemented.

Previously reported to RAIB

3.   ORR reported the following on 2 October 2014:

'We have written to Network Rail requesting that it provides us with the outcomes of the special topic audit. They have confirmed that it has been delayed until 30 September 2014. We are continuing to monitor Network Rail actions.'
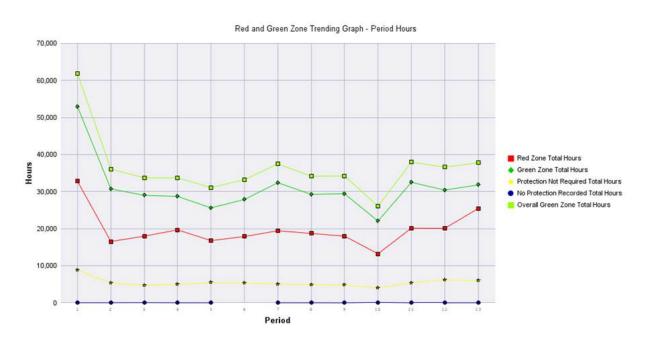
Update

4.   Following timescale extensions, Network Rail provided a closure statement and supporting information on 15 May 2019:

Network Rail can confirm that monitoring Levels of Compliance with minimum levels of protection has continued at DU and route Level, examples of these are provided as attachments, they cover minimum levels of protection; these are provided as examples in the xls.. spread sheets, graphs showing trends are also provided as they don't fit into the text box.

The monitoring at DU and Route level by maintenance teams is carried out each week and per period and rolling trends are reviewed and poor trends would be corrected, most of the graphs in the attachments show the increased use of protection (green) level of working as opposed to the use of Warning (red). Infrastructure Projects (IP) Teams, have a general restriction on the use of warning protection arrangements without very senior levels of authority, and dependant of the

type of task being undertaken. Areas of Scotland have a full ban on the use of unassisted lookouts.

We have also engaged with our IP colleagues in High output track and they have also provided some examples of how they manage and monitor this, the HO team have provided a process that is to be followed to reduce from protection to warning SSOW, the example of the flow chart is on page 8 of the attachment, this is an addition to the request from the ORR

The Requirements of NR/L2/OHS/019, Safety of People at work on or near the line, also place requirements through the use of the Elimination of Risk to people at work on or near the line Hierarchy table 2, monitoring the effectiveness through the requirements of the responsible manager section 5 and what to do when asking to go to a lower SSOW through the requirements in Section 6. The purpose of the document sets out how the control of risks throughout the planning and delivery of Safe work will be managed.

5. As an example, Network Rail provided the following information from the Anglia route:

As you can see entries where protection method is not entered sits at around 0.3 to 0.5%. The high number of protection not required is based on most Off Track, E&P and S&T works which are carried out in buildings & lineside etc. As you know 019 does not have the requirement to supply a pack more than 10ft of the running line so this is sufficient.

We are actively reviewing the Section Manager numbers of recorded Red to Green and targeting those groups where numbers seem to be high. Paul Ollivant is currently leading a plan of targeted reviews where managers work groups are high on in the route.

In other work streams we have already established a daytime access plan for the Norwich geographical area where gaps in service are published, shared and treated in the way as night time

access which is shared by as many parties as practicable. This means the section managers are operating in some the highest Green Zone access in the country. The lesson learned from this have been transferred to the Ely area where similar track access is available. Unfortunately the daytime access simply isn't available in the London areas to implement the same plan.

As the risk of people being struck by trains is in reverse S&C movements now stands at 61% we are looking to influence this part directly in route by essentially having switches normalised for the duration of work in Red zones. Although Red can still be utilised the additional control significantly reduces the odds but will not have a direct impact on the numbers. However in previous runs of the exercise this often produces a by-product of increasing Green Zone as the planners see this option as more productive and often easier to plan.

Previously reported to RAIB

Recommendation 2

The intent of this recommendation is to ensure that the use of Red and Green Zone safe systems of work is being effectively monitored.

Network Rail should review the effectiveness of the current arrangements in place to monitor the usage of Red and Green Zone safe systems of work. It should identify and implement any appropriate measures identified as necessary for this monitoring to be effective.

Actions taken or being taken to address the recommendation

1.   In its initial response on 29 November 2013, Network Rail provided the following information:

The Routes / Delivery Units now have a number of reports to utilise the effectiveness of Red & Green zone working.

The Red & Green Zone report is now fully operational in Business Objects; this provides each Delivery Unit with an overview of the current status for each discipline. This now includes the visibility of the use of additional protection when undertaking activity in green zone.

The second report is the line protection report, and this focuses on the protection required for a particular task (formally known as the Kennington codes), the majority of tasks within the Ellipse, have been allocated a TATI code (formally known as Kennington Codes) and they have been allocated a minimum level of protection associated with a particular task, so the report is able to identify when a level of protection utilised is different from planned, the other added addition to this report is that it can also identify when no protection has been recorded, nationally all Routes are averaging 97% for the correct protection method.

Planned activity is also visible in SSOWPS which enables a review of selected methods of protection.

Periodic assurance of the review process is underway and a special topic audit will now be undertaken Q3 2014 to review the effectiveness of the arrangements and actions taken.

Timescale: 30 September 2014

ORR decision

We have written to Network Rail requesting that it provides us with the outcomes of the special topic audit. They have confirmed that it has been delayed until 30 September 2014. We are continuing to monitor Network Rail actions.

Status: In progress. We expect to update RAIB by 31 January 2015.