

Oliver Stewart
Senior Executive, RAIB Relationship and
Recommendation Handling

Telephone 020 7282 3864

E-mail oliver.stewart@orr.gsi.gov.uk

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

Dear Andrew,

RAIB Report: Collision at Buttington Hall user worked crossing, Welshpool, 16 July 2013

I write to provide an update¹ on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 27 March 2014.

The annex to this letter provides details of the action taken regarding the recommendation, the status of which is now '**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 becomes inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 22 August 2018.

Yours sincerely,



Oliver Stewart

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

Recommendation 2

The intent of this recommendation is to reduce the risk at user worked crossings during periods of intensive use.

Network Rail and Northern Ireland Railways should define one or more safe and practical methods of working that may be adopted at user worked crossings during periods of intensive use; and provide clear information to their staff and authorised users on how and when they should be applied. They should also ensure that any such methods of working are suitably reflected in instructions and training given to railway staff.

This recommendation may also be applicable to other infrastructure managers.

ORR decision

1. Network Rail have produced a good practice guide for level crossing managers and authorized users of User Worked Crossings during intensive periods of use, such as when farmers are harvesting. Network Rail have incorporated the guidance into their Level Crossing Manager training syllabus, but chose not to include it in LXRMTK as they do not consider it to be a human factors issue.
2. The document includes guidance on identifying periods of intensive use and setting up a safe system of work in those circumstances.
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. ORR reported the following on 13 October 2014:

Network Rail will work with a selection of Route teams, external key stakeholders and with the support of Network Operations to develop good practice guidance for use during periods of intensive use of level crossings. This will include associated generic safe methods of working templates(s) which cater for different scenarios and provide guidance for deployment. The timescale for completion is 30 May 2015.

Update

5. Network Rail provided the following closure statement date 31 May 2015

The guidance includes good practice concerning:

- *Working with stakeholders to understand intensive working requirements and their impact on level crossing risk*
- *Agreeing intensive working risk controls with LOM/OM and AU*
- *Documenting decision making*
- *Examples of instructions for AUs for inclusion in methods of working*
- *LOM/OM involvement in briefing to signaling staff*
- *Confirmation of introduction of temporary signal box instructions for a modified method of working or other risk control with the LOM/OM*
- *Implementing modified methods of working*
 - *Briefing to AUs and the need to confirm the understanding of those people briefed*
 - *Recording the period of applicability in the method of working briefed*
 - *Obtaining the signatures of affected parties in the method of working at the commencement of its use*
 - *Obtaining the signatures of affected parties in the method of working at its withdrawal after the period of intensive use is complete*
 - *Monitoring the suitability of controls once they are implemented*

The guidance has been made available to Level Crossing Managers on the Level Crossing Hub. It was briefed to the quarterly Route Level Crossing Managers meeting on 30/04/2015 for cascade briefing to Level Crossing Managers

Previously reported to RAIB

Recommendation 2

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This recommendation may also be applicable to other infrastructure managers.

Actions being taken to address the recommendation

1. On 20 June 2014, Network Rail provided the following information:

General summary

Network Rail will work with a selection of Route teams, external key stakeholders and with the support of Network Operations to develop good practice guidance for use during periods of intensive use of level crossings. This will include associated generic safe methods of working templates(s) which cater for different scenarios and provide guidance for deployment.

Action plan

The action plan for Buttington Hall recommendation 2 will include the development of:

- *Good practice guidance for application during periods of intensive crossing usage, e.g.*
 - *Assessing the method of working and its requirement, (see recommendation 1)*
 - *Generic methods of working templates*
 - *Form(s) to document agreements amongst affected parties*
 - *Advice on engaging with users of user worked crossings or their employees; this includes authorised users, contractors and bodies such as the National Farmers Union (NFU)*
 - *Communications to support engagement and promote awareness, e.g. NFU national and local communications*
 - *Development work will involve representatives from the operations community*
- *Training and briefing of the guidance and suggested methods of working will be take place within the:*
 - *Level Crossing Manager and*
 - *operations community*

The development work will take existing good practice established by Route teams. Network Rail will also seek to engage with Northern Ireland Railways in this work.

Network Rail will work with industry partners such as the National Farmers Union and Forestry Commission to improve our engagement with users.

Note:

Engagement has taken place with the NFU in advance of the 2014 harvest season. This initially resulted in the publication of a full page advert in the June edition of the Farmer & Grower magazine to raise awareness of the risks associated with harvest time and encourage engagement with Network Rail. Representatives of the NFU also attended a meeting of the Level Crossing Strategy Group on 22 May to discuss this issue.

Timescale: 30 May 2015

ORR decision

2. After reviewing information received 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 by 30 May 2015.

Status: Implementation on-going. *ORR will advise RAIB when actions to address this recommendation have been completed.*