

Chris O'Doherty
RAIB Relationship and Recommendation Handling
Manager

Telephone: 020 7282 3752

E-mail: chris.o'doherty@orr.gsi.gov.uk

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Ms Carolyn Griffiths
Chief Inspector of Rail Accidents
Rail Accident Investigation Branch
Block A, 2nd Floor
Dukes Court
Dukes Street
Woking GU21 5BH

Dear Carolyn

Two incidents involving track workers between Clapham Junction and Earlsfield, 8 March 2011

I write to provide an update¹ on the consideration given and action taken in respect of recommendations 3 and 4 addressed to ORR in the above report, published on 27 February 2012.

The annex to this letter provides details of the consideration given/action taken in respect of each recommendation that recommendations 3 and 4 are in-progress

We expect to update you on progress with recommendation 3 by 31 October 2013 and recommendation 4 by 28 February 2014.

We expect to publish this response on the ORR website on 19 August 2013.

Yours Sincerely

Chris O'Doherty



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

Recommendation 3

The purpose of this recommendation is to determine whether, following the proposed changes to Assessment in the Line, the workload of Track Section Managers is reasonable. If necessary, the role should be restructured to strengthen the supervision of staff competence.

Network Rail should review the workload of Track Section Managers, to determine whether it is reasonable, taking account of the changes which are due to be introduced in 2012 as part of the 'Assessment in the Line review project'. This review should include the requirement to manage technical, managerial and administrative tasks; specific attention should be given to the work associated with the management of staff competence and on-site surveillance. If this review identifies that the workload of the role is unreasonable following the proposed changes, practical steps should be taken to restructure responsibilities to improve the delivery of safety-related activities.

Brief Summary on what was previously reported to RAIB on 23 April 2013

An initial review of the workload of TME [Track Maintenance Engineer] and SMS [Section Managers] has been undertaken ... and as a result of this Network Rail's Chief Executive has remitted a comprehensive review of Network Rail's Engineering and Operations working arrangements.

This includes the specific objective of improving the working environment of key frontline managers including Track Section Managers and Assessment in the line.

...Network Rail considers that the work tasking of Track Section Managers should be better focused and ... Network Rail will use a comprehensive risk model to consider whether the workload in Assessment in the Line is proportionate to the risk it is seeking to mitigate and whether there are any unintended consequences of such a regime.

Update

1. Network Rail provided further information on 4 July 2013 advising that:

The action plan for this recommendation forms part of the Competence Assurance work-stream of the Business Critical Rules Programme.

The Risk Based Assurance Programme has as one of its key objectives the reduction in the number of competencies and hours of assessment by Section Managers. The programme will deliver a reduction in the number of knowledge tests to be undertaken nationally from 160,000 to 90,000 per annum and a corresponding reduction in the number of assessment hours from 53,300 to 30,000.

For Section Managers specifically, this will deliver a 75% reduction in the number of hours spent on assessment activities, from the current 657 hours per annum to 166 hours per annum, based upon an average 24 employees per Section Manager, each holding 18 competencies.

In summary, the review referred to has been carried out as part of the BCR programme and the proposals have been endorsed by Network Rail's S&SD Executive [Safety & sustainability Development].

Timescale: 31 August 2013

ORR Decision

2. ORR met with RAIB, on 25 July 2013, to discuss the proposed update and surrounding issues, including the time it would take for Network Rail to implement its action plan. RAIB were also supplied with a Network Rail briefing document on the Business Critical Rules to give it some back ground.

3. After reviewing all the information received from Network Rail, ORR 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.

ORR will write to RAIB again it becomes aware that the information above is inaccurate.

Status: In-progress - ORR will update RAIB by 31 October 2013

Recommendation 4

The purpose of this recommendation is to improve the competence of track maintenance staff in safety-critical roles, particularly when exposed to situations with which they are unfamiliar.

Network Rail should review the adequacy of training and assessment of track maintenance staff to deliver practical competence, particularly in skills or situations which are encountered infrequently. Where necessary, improvements should be made to enhance current processes. Consideration should be given to:

- a. the extent to which it is appropriate to have detailed and complex rules for responding to infrequently-encountered situations;
- b. methods of providing experience in situations which an individual may encounter infrequently;
- c. identifying methods of assessment for situations which it is unlikely a line manager would normally be able to observe;
- d. reassessing safety-critical competences when there are significant changes in an individual's work pattern, e.g. changing from day patrolling to planned maintenance work on permanent night shifts; and
- e. reinforcing the need for regular face-to-face reviews of staff performance and competence by line managers.

Brief Summary on what was previously reported to RAIB on 23 April 2013

Network Rail identified that the volume of rules and standards together with task based prescriptive training regimes appear to have a negative impact on competence. Network Rail is therefore taking action to change its competence training regime from *task-based to role-based*, focusing on behaviours of safety critical staff and to equip them with the skills to make the right decision in circumstances they are confronted with.

Update

4. Network Rail provided further information on 8 May 2013 advising that:

Extract from Network Rail's Closure Statement (3 May 2013)

A review of training and competence arrangements has been carried out as part of the Risk Based Assurance project – the methodology has been accepted by internal and external parties. Network Rail expects the changes to take effect from January 2014.

This is captured within the Business Critical Rules.

The Risk Based Assurance (RBA) projects will identify those tasks performed infrequently and most likely to be at risk from skills fade to determine what the minimum frequency of assessment is. RBA will also provide direction on how often the individual should practice the task. This will aid the line manager in their decision if the competence ought to be removed altogether; if mentoring is required; or if the individual needs to re-take the initial certification. The rating of an individual receives takes into consideration the different environments the individual will work in (e.g. night, difficult weather conditions). The increased use of emulations within Network Rail's training offering allows Network Rail to give individuals the opportunity to practice these infrequent tasks in a safe environment and is suitable for those situations which are difficult to recreate (e.g. High Voltage sub-stations e-learning tool).

Following implementation reviews will be undertaken at agreed key intervals to identify the effectiveness of the new system. Where required re-review and adjustments will be made to enhance the work already completed.

ORR Decision

5. After reviewing all the information received from Network Rail, ORR 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.

ORR wrote to Network Rail, 21 June 2013, seeking further information on progress being made, the outcomes of the reviews and any further action that may be taken.

Status: *In-progress* – ORR will update RAIB in 28 February 2014