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Ms Carolyn Griffiths
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Cullen House
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Dear Carolyn

RAIB report: Incident involving a runaway track maintenance trolley near Haslemere

I write to report¹ on the consideration given and action taken in respect of the recommendation addressed to ORR in the above report, published on 30 May 2012.

The annex to this letter provides details of the consideration given/action taken in respect of the recommendations where recommendations 1 -5 have been implemented and recommendation 6 is in progress.

We not intend to take any further action in relation to recommendations 1 - 5 unless we become aware of an inaccuracy in which case we will write to you again.

We expect to be able to update you on recommendation 6 by 31 August 2013.

Yours Sincerely

Chris O'Doherty



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

Consideration by ORR

1. All six recommendations were addressed to ORR when the report was published on 12 July 2012.
2. After considering the recommendations ORR passed recommendation 3 to Torrent Trackside and recommendations 1, 2, 4, 5 and 6 to Network Rail asking them to consider and where appropriate act upon them and advise ORR of its conclusions.
3. The consideration given to each recommendation is included below.

Recommendation 1

The purpose of this recommendation is to improve the effectiveness of the pre-use checks on a trolley and to raise the awareness of hand trolley controllers of the importance of the automatic function of trolley brakes.

Network Rail should review and revise the material used for training and assessing the competence of hand trolley controllers, such that the required pre-use checks for all trolleys are clearly and concisely stated in a form which is readily accessible to hand trolley controllers. These checks should be consistent with the requirements of Handbook 10 of the Rule Book, and should include a functional brake test using the brake handle to test automatic operation of the brake. The revised material should also incorporate suitable references to the risk arising from the use of trolleys on gradients

Steps taken or being taken to address the recommendation

4. Network Rail responded on 1 November 2012 with the information below
The Professional Development & Training organisation will re-issue the training material for hand trolleys, particularly around pre-use checks by 30th November 2012. Subsequent to this, the Routes will introduce a cascade briefing process, including retrospective briefing for staff that are already qualified to carry out brake tests on hand trolleys, covering all Delivery Units on the Route.

The SSD Ergonomist team is to engage with staff using trolleys to understand human factors and provide recommendations to improve both compliance and safe usage.

5. In considering the initial response ORR found no evidence that a review had taken place. We wrote to Network Rail requesting confirmation that a review had taken place and to provide the findings of the review. We also requested sight of the original and revised material. Network Rail replied on 21 December 2012 with the information below.

The initial version of 'Safe Use of Trolley Equipment' training materials was released in July 2012 as part of the new Portable, Transportable and Mobile Plant (PTMP) framework. This competence replaced the existing Hand Trolley Controller (HTC) competence.

- *As a result of recommendation 1 from Haslemere a further materials review was planned and undertaken in line with the recommendation. This was completed in November 2012.*
- *The materials have been updated. This includes changes to the following sections;*
 - *Session 3 Trolley pre use checks*
 - *Session 4 Safe use and control of the Trolley equipment*
 - *Session 5 Practical session*
 - *Inclusion of check list to be issued to delegates on training as an aide memoire of the checks that have to be completed.*
 - *Incorporation of the Life Saving Rules relevant to this activity*
- *This material needs to be technically validated and then signed off by the Technical/Lead/Professional Head, time frames associated with this is circa January 2013. ‘*
- *A disc containing the ‘HTC AND Safe Use of Trolley Equipment Training Materials’ has been supplied to ORR. – this includes a copy of ‘Safe use of Trolley Equipment’ released in July 2012 and a copy of the revised ‘Safe Use of Trolley Equipment’ materials, currently in revision.*
- *The ‘Trolley Training materials changes’ document shows the changes to the materials over the last two issues. This details the decision from HTC Issue 3.1 to ‘Portable and Transportable Core Module (inclusive of Safe Use of Trolley Equipment) Issue 1 to ‘Safe Use of Trolley Equipment draft – for publication in the new year 2013.*

6. ORR has considered the documents sent by Network Rail and cross checked the content to confirm that it addresses the recommendation.

ORR decision

7. Having considered the additional response and having examined the material provided by Network Rail ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has

- taken the recommendation into consideration; and
- taken action to implement it.

Status: *Implemented*

Recommendation 2

The purpose of this recommendation is to provide assurance that the risk associated with the design of a new product has been assessed and mitigated before it is approved for use by Network Rail.

Network Rail should clarify the responsibilities for the specification, assessment, approval and introduction to use of each new item of plant that has the capability to

import risk to the operational railway. These responsibilities should include confirming that:

- a) a design risk assessment has been carried out, taking account of realistic and potential failure modes, the way the equipment is used and the effects of wear and tear;
- b) the supplier has produced operational and maintenance instructions which provide appropriate mitigation for the risks; and
- c) Network Rail has incorporated the manufacturer's instructions into its own work instructions or assessed the risk of adopting an alternative approach.

Actions taken or being taken to address the recommendation

8. Network Rail responded on 1 November 2012 with the information below:

Consideration has been given to clarifying the responsibilities for the specification, assessment, approval and introduction to use of each new item of plant that has the capability to import risk to the operational railway. There are 3 key factors which will provide assurance that the risk associated with the design of a new product has been assessed and mitigated before it is approved for use by Network Rail:

- *Creating clear guidance documentation;*
- *Clarifying roles and responsibilities; defining boundaries, and;*
- *The Product Acceptance Team to consult with the Plant Technology Team on:*
 - *FMEA*
 - *Operational and maintenance;*
 - *Work instructions to be included in 'Acceptance Requirements' specification*
 - *Test interoperability with railway environment*
 - *Product engagement & ergonomics assessment in Routes*

9. ORR wrote to Network Rail requesting further information on the specific bullet points in the recommendation. Network rail responded on 21 December 2012 with the following additional information

The new 'Guide to Product Acceptance' details the product acceptance process, the various stages involved and the standard to which it relates. It also clarifies the roles and responsibilities of the people involved throughout the process. The process has been simplified to make it easier to understand with fewer stages. The PD&T team are now contacted at the start of the process to alert them of a potential requirement and the final certificate is also sent to them so they are aware of all new products being granted acceptance. Meetings have been arranged in January 2013 with the Technology Teams, Professional heads and all sponsors, so that the new process can be briefed and any questions answered.

10. Network Rail provided the new Guide to Product Acceptance, together with the previous acceptance process to enable comparison. ORR has considered this document and can confirm the changes that have been made address the recommendation.

11. On 15 April 2013 Network Rail confirmed the following actions have been taken:

- *It has now been mandated that all product acceptance applications within the Plant discipline must specify a design risk assessment as part of the requirements for product acceptance. The 'Product Acceptance Document' which is used throughout the life of all applications for product acceptance has been amended to include a mandatory requirement for a design risk assessment to be undertaken.*
- *It has been mandated that all product acceptance applications within the Plant discipline provide operational and maintenance manuals. The Product Acceptance Document, section 7.4 – Provide details of operations and maintenance manuals to be provided has been changed to a mandatory field. The Product Acceptance Clause by Clause Checklist, which is used by the Plant Technology Team when assessing each product, has specific sections relating to operational and maintenance instructions*
- *Internal process checks have now been included in the Product Acceptance Clause by Clause checklist so that training and risk control are a mandatory requirement for all Plant applications. The Product Acceptance Clause by Clause Checklist, which is used by the Plant team when assessing each product, has a new section (section 2) 'Internal Process Checks which refers to training and development and will be used for all new applications.*

ORR decision

12. Having considered the additional response and having examined the material provided by Network Rail ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has

- taken the recommendation into consideration; and
- taken action to implement it.

Status: *Implemented*

Recommendation 3

The purpose of this recommendation is for Torrent Trackside to improve the competence of its staff to maintain plant.

Torrent Trackside should improve its processes for providing suitable maintenance information, documents and training to its personnel for all of the plant which they may be required to service. The information provided to its staff should be sufficient to enable them to discharge their responsibilities competently and safely.

Actions taken or being taken to address the recommendation

13. ORR was provided with the following information from Torrent Trackside on 17 March 2012.

- *Before Christmas (2011) we created an additional role at each of our depots called 'Workshop Supervisor'. All fitting staff now report into this role. Their remit is to concentrate on the quality and conformity of maintenance both for depot*

based fitters and those which are maintaining equipment remotely (mobile fitters). They are now spending time with the mobile fitters (at least one day a week) checking the quality and conformity of their work.

- *In line with the above, we are currently changing our inspection checklists to include lone working and sample checking of serviced plant. This should be live by the end of this month, and will become a mandatory requirement for all Workshop Supervisors.*
- *We have introduced Workshop Supervisor meetings which take place quarterly. These enable discussion and the sharing of best practice, in particular for the management of the mobile fitters. This is still in its infancy, although it should address any maintenance issues and concerns that the Workshop Supervisors and their fitters face. A member of the Compliance team shall be part of this steering group to ensure any actions brought up are properly addressed and escalated where necessary.*
- *We enquired about manufacturer training, however, in some instances it proved too expensive. Consequently, for key products we are currently identifying champions for whom mentoring and support shall be sought for inexperienced maintainers. This was identified as an opportunity for improvement at the last Workshop Supervisor's meeting.*
- *We have improved our mentoring process for inexperienced and non-competent maintainers. A mentor must now hold the relevant competence for at least six months (previously there was no minimum requirement). Also, in order for a maintainer to be considered for competence assessment, they must have completed at least three mentored events (again, previously there was no minimum requirement and we were finding that people were being mentored just once before being deemed ready for assessment). Finally, we have improved our mentoring record (attached) to capture details of the mentored event.*
- *In addition to the RPA assessments for safety critical plant, we are now mandating competence assessments on other equipment also (tower lights, clipping machine, profile grinders etc.). The intention is to include many more items, but we feel that this would be better orchestrated in tranches. We are also developing a self-assessment critique for new starters in order to gauge their competence in basic maintenance of 2 stroke, 4-stroke, electrical and hydraulic equipment. These should be rolled out in the next couple of months.*
- *Finally, we have introduced a fault finding assessment to compliment all of our competence assessments. Typically, a maintainer could pass an RPA competence assessment just by answering questions and demonstrating an adequate service. However, specific fault finding was not previously included (or required). For all competence assessments my Assessors will now identify a number of faults, even if they have to rig the fault themselves (i.e.; loosen a screw, fit a partially worn brake pad etc.). The fitter must then find the fault (as well as perform the routine service) in order to be deemed competent. This fault finding assessment is also a useful tool for supervisory staff to conduct random checks.*

14. Torrent Trackside has provided ORR with copies of its procedure for Company Assessment (PR095), as well as its Competence Mentorship form (AP410), its Competence Assessment Plan (AP413) and its Fault Finding

Assessment (AP435), all of which it believes are improvements to its system from last year. Torrent Trackside are also looking at a 'Ready to Rent' programme which will focus on legal compliance, in particular some of the requirements of PUWER (labelling and guarding).

15. ORR visited the Torrent Trackside offices in Staffordshire on 12 December 2012 in order to verify that the actions described above were being undertaken. Documentation was also reviewed which identified that the new procedures for the training and development of maintenance staff competencies are currently in use. Examples of checks carried out using the new systems were seen during the visit and examples were provided for confirmation and assurance purposes.

ORR decision

16. Having considered the additional response and having examined the material provided by Torrent Trackside ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Torrent Trackside has

- taken the recommendation into consideration; and
- taken action to implement it.

Status: *Implemented*

Recommendation 4

The purpose of this recommendation is for Network Rail to enhance its process for taking action on RAIB recommendations applicable to other areas, or which are relevant to its own operations but have been addressed to other operators.

Network Rail should review and, if necessary, revise its processes for taking action on RAIB recommendations, so that suitable actions can be identified, implemented and tracked through to closure. These may have been made for a different system, for example road-rail vehicles instead of trolleys, or may be relevant to its own operations but addressed to other operators.

Actions taken or being taken to address the recommendation

17. Network Rail responded on 1 November 2012 with the information below:

All published RAIB reports that could contain transferable learning points for Network Rail, including those relating to incidents on non-Network Rail infrastructure, are reviewed at the four-weekly National Recommendations Review Panel (NRRP).

This includes reviewing recommendations that may be directed towards other parties that could equally apply to the activities of Network Rail.

If any such recommendations are identified then these shall have action owners allocated and actions tracked to closure in the same manner as recommendations directed towards Network Rail.

The Network Rail Reporting and Investigation Manual will be updated to reflect this process by 31st March 2013, as it is currently not documented.

18. ORR wrote to Network Rail requesting sight of the investigation manual when it is published. Network Rail confirmed that the process has been implemented and provided minutes of NRRP meeting from 13 October 2012 showing as an example, the Grosmont report being reviewed and an action taken to prepare a brief on the accident for briefing to staff in Network Rail depots. Network Rail also provided an updated procedure 'Reporting and Investigation Manual Issue 2'. However this is unlikely to be published in its current form due to the standards freeze.

19. ORR was not satisfied that there was any evidence that Network Rail had carried out a review. ORR therefore wrote to Network Rail on 20 May 2013 requesting when the review took place, who was involved and a brief summary of the findings.

20. On 23 May 2013 Network Rail advised:

The review was conducted by the Corporate Investigation Manager. The review consisted of discussions with the Director, Risk and Assurance and the Senior Investigator responsible for the accident investigation procedures and concluded that the procedure and practice at the National Recommendations Review Panel (NRRP) needed to be amended to ensure an adequate review of RAIB reports from other railway systems was undertaken and resultant actions tracked in the same way as recommendations directed towards Network Rail are.

The review informed the action taken to close this recommendation.

Network Rail provided ORR with a copy of:

- The closure form for Recommendation 4, *which has been closed out on SMIS*;
- The Terms of Reference for Network Rail's NRRP; and
- Minute for NRRP 82

ORR decision

19. Having considered the additional response and having examined the material provided by Network Rail ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has

- taken the recommendation into consideration; and
- taken action to implement it.

Status: *Implemented*

Recommendation 5

The purpose of this recommendation is for Network Rail to determine whether further action is required to improve the culture at Havant track maintenance depot, pending implementation of its national safety culture initiatives.

Network Rail should review the actions it has taken at Havant depot since the incident, taking account of the issues identified in this report. If appropriate, it should prepare and implement an action plan for any additional actions necessary to

provide an adequate level of safety. The review should include (but not necessarily be limited to):

- a. compliance with rules and procedures;
- b. reporting of safety-related incidents; and
- c. management of defective equipment.

Actions taken or being taken to address the recommendation

20. Network Rail responded on 1 November 2012 with the information below:

Network Rail will undertake a review of the Havant depot, from both the Signalling & Telecommunications and Track perspective. The review will take into account the issues identified in the RAIB report and will highlight the actions that need to be taken at the Havant depot following the incident near Haslemere:

- *An assessment of the compliance of KPIs on track and signalling assets is to be conducted, alongside a comprehensive review of the safety equipment, storage and items in quarantine.*
- *All Management and supervisory positions at Havant depot are to be filled, to ensure there is a clear process of safety-reporting for front-line staff.*
- *Safety representatives from the Depot and Delivery Unit are to be briefed on the issues raised in the report and the lessons learnt, as well as the need for positive reporting.*
- *In addition, all track staff based at Havant depot and the National Union Safety Representatives are to be personally briefed on relevant issues raised in the report.*

Havant depot is working with the Network Rail Safety, Leadership & Culture Change programme, pending implementation of the control measures and safety culture initiatives.

Wessex RSIM are to share lessons learned and process undertaken in Havant with other route RSIMs, whom should consider incorporating with the safety, leadership and culture change programme. Timescale – 30 September 2013

21. ORR is aware of a substantial amount of work being carried out at Havant depot and is content that the timescale for completion of 30 September 2013 is reasonable.

ORR decision

22. Having considered the response and 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.

Status: Network Rail is taking action to implement the recommendation

Recommendation 6

The purpose of this recommendation is for Network Rail to take account of known areas of poor mobile phone reception when planning infrastructure work with the potential to affect the safety of the line.

Network Rail should collate information on known areas of poor mobile phone reception on its infrastructure and, where necessary, make arrangements for alternative means of communication between front-line staff with safety responsibilities

Actions taken or being taken to address the recommendation

23. Network Rail responded on 1 November 2012 with the information below

Consideration has been given to this recommendation; however, it has been rejected on the basis that safe systems of work already require a check of communications to be undertaken prior to any work commencing

24. ORR was not content with the response from Network Rail. We wrote to Network Rail on 5 December 2012 stating that we felt it was reasonable, as the recommendation suggests, for Network Rail to collate information on **known areas** of poor mobile phone coverage and make arrangements for alternative means of communication. Alternative means of communication have been installed in the Haslemere area and we see no reason why similar means cannot be considered elsewhere.

25. We are awaiting a further response and will update RAIB when this is received.

Status: In progress. ORR will update RAIB by 31 August 2013