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14 February 2017



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

Dear Andrew,

**RAIB Report: Unsafe events at Heathrow Tunnel Junction, 27-28 December 2014**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendation 1 addressed to ORR in the above report, published on 16 December 2015. The annex to this letter provides details of the action taken regarding this recommendation, the status of which is now '**Implemented**'. We do not propose to take any further action in respect of this 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 15 February 2017.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Stewart', written in a cursive style.

Oliver Stewart

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

## Recommendation 1

*The intent of this recommendation is to achieve a more effective balance between audits of safety related paperwork and direct observation of on-site safety behaviour which would not be detected by a paperwork audit.*

Network Rail, liaising with Principal Contractors, should review management systems for monitoring railway safety arrangements on major construction sites not separated from the railway by a permanent barrier. The review should identify any improvements needed to ensure that, in addition to appropriate auditing of paperwork after completion of shifts, the management systems promote sufficient direct observation of on-site activities and workgroup questioning to give adequate confidence that mandated safe systems of work are being correctly implemented throughout each shift. Network Rail should then implement any improvements identified by the review.

### ORR decision

1. Network Rail has reviewed its procedures for assuring a safe system of work remains in place where work is being carried out on railways that are open to traffic, but are not separated by a permanent barrier. The outcome of the review indicated that Network Rail could provide better support to their managers and will update the guidance they provide to them.

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. On 4 August 2017 ORR reported that it is content with the Network Rail action plan and awaits a decision by 31 January 2017 on whether Network Rail needs to amend its standard NR/L2/OHS/019. (See full response at Annex B)

### Update

3. On 17 January 2017 Network Rail provided the following closure statement :



RAIB HEATHROW



RAIB Heathrow

TUNNEL REC 1 signec Tunnel Rec 1 Closure

4. Network Rail state in summary the following:

*We reviewed the outputs of SSoWP assurance, and found them to be adequate.*

*We utilised a range of qualitative and quantitative techniques, to test and understand Direct Observation during planning and implementation of a SSoWP. From these observations it was determined that there is adequate supervision on site from a multiple of roles who undertake a variety of recorded observations. Checking and observing the SSoWP is part of these observations. Specific Direct Observation of a SSoWP is difficult to direct as by its implication it needs to be an observation, not a tick list inspection. Whilst there is a range of tools available to those who undertake site visits, an addition to the NR 'Let's talk safety' key card booklet and/or a task specific Inspection guide could be utilised to add this layer of observation. Annual Safety Plans typically include targets for both planned inspections and safety conversations. DO of a SSoWP could be incorporated into these targets. Education on how to undertake a good Direct Observation could be incorporated into the NR Leading Safety Conversations course, with the course extended to incorporate NR Construction Managers and promotion of the initiative to the major contractors.*

*We found that that we can support managers and Responsible Managers more with bespoke guidance – we will update the PGSI, provide guidance to support managers and further guidance to responsible managers*