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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: Detrainment of passengers onto electrically live track near Peckham Rye station on 7 November 2017

I write to report¹ on the consideration given and action taken in respect of the recommendations addressed to ORR in the above report, published on 9 October 2018.

The annex to this letter provides details in respect of the recommendations. The status of all three recommendations is '**Implemented**'.

We will publish this response on the ORR website on 13 August 2019.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Stewart', written over a light blue horizontal line.

Oliver Stewart

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

Initial consideration by ORR

1. All 3 recommendations were addressed to ORR when the report was published on 9 October 2018.
2. After considering the recommendations ORR passed recommendation 1 to Arriva Rail London and recommendations 2 & 3 to Network Rail South East route asking them to consider and where appropriate act upon them and advise ORR of its conclusions. The consideration given to each recommendation is included below.
3. This annex identifies the correspondence with end implementers on which ORR's decision has been based.

Recommendation 1

The intent of this recommendation is for ARL to review and improve the ability of its train drivers, and control room, to effectively deal with out-of-course scenarios which may result in a task overload of the train driver.

Arriva Rail London should review and improve, as necessary, its training, procedures, control room environment and equipment to enable controllers and train drivers to deal effectively with out-of-course scenarios involving stranded trains. This should include consideration of the use of simulators, whether full task or part task, and table-top exercises (paragraphs 136(a), 136(b), 136(c), and 136(d)).

This recommendation may also be applicable to other train operators

ORR decision

4. We are satisfied that ARL have reviewed their arrangements for managing out-of-course scenarios and made a number of changes covering staff training, control room equipment, control room environment and strategic command during an incident.
5. ARL carried out a train evacuation on to the track at Barking station on 29 March 2019 involving 100 passengers including one with mobility issues. The successful detrainment under fully controlled conditions demonstrated the effectiveness of the revised procedures put in place in response to the Peckham Rye incident.
6. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, ARL has:
 - taken the recommendation into consideration; and
 - has taken action to implement it

Status: Implemented.

Information in support of ORR decision

7. On 24 April 2019 Arriva Rail London provided a report in response to the recommendation. They state in conclusion the following:

On 13th November 2016 Arriva Rail London (ARL) took over the concession to operate the London Overground network. This concession was previously operated by London Overground Rail Operations Limited (LOROL), who were a high performing and well-respected operator within the industry.

As with many franchise/concession changes, turnover of management grades was high and new management models were introduced. Some of these changes were a direct result of the changes to the concession agreement, whilst others were led by ARL in line with concession bid.

Several months after the concession award, the Control was restructured, introducing the concept of Strategic Command and a function capable of leading and managing train service delivery and incident response across the Overground network.

In order to deliver the concept of Strategic Command, the local management team at ARL started to look at the capabilities, process and procedures of the operation and develop a plan that would aid delivery.

Following the incident at Peckham Rye, ARL immediately carried out an internal investigation to consider what elements of existing processes had failed and subsequently enabled the conditions in which such an event was able to occur. A number of actions were agreed upon (both within ARL and jointly with NR) as a result of this investigation; these were being acted upon when the RAIB report was received by ARL. All actions that had already been taken were combined with the recommendations from the RAIB report, resulting in a comprehensive set of actions (for both NR and ARL) to ensure that the risk of occurrence was reduced as far as reasonably practicable. Evidence of all actions taken is available for inspection.

Prior to the incident ARL perceived that it had in place a robust set of controls to manage out of course operational events; the incident demonstrated that there was room for improvement. As a consequence of the improvements that have now been made to the processes, ARL is confident that the process gaps identified have been addressed and the risk of recurrence has been minimised. The processes will be checked regularly as part of ARL's ongoing assurance regime.

Recommendation 2

The intent of this recommendation is to ensure that there are local management arrangements in place to effectively manage the controlled evacuation of stranded trains.

Network Rail (South East route), in consultation with train operating companies as appropriate, should review the adequacy of its existing arrangements for

implementing national policy and guidance for the safe evacuation of passengers from stranded trains. As a minimum the review should cover how all parties ensure that:

- all parties quickly gain a common understanding and shared situational awareness of the circumstances;
- effective incident control arrangements are established and formalised before important decisions are made, particularly those which affect the safety of passengers and staff;
- suitable protection is in place before authorising the start of any controlled evacuation;
- staff on the ground, such as train crew, are provided with appropriate support in circumstances which are difficult and / or unfamiliar; and
- the effectiveness and use of procedures is understood and tested to ensure that all such arrangements are capable of being implemented by competent staff without undue delay. All necessary changes or additions to existing management arrangements identified from the review should then be suitably documented, validated, implemented, and briefed (paragraphs 136(b), 137(b) and 137(c)).

ORR decision

8. Network Rail South East route in collaboration with Southeastern have reviewed their arrangements for the safe evacuation of passengers from stranded trains and produced clear documentation setting out the process.

9. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail South East route has:

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

Status: Implemented.

Information in support of ORR decision

10. On 9 January 2019 Network Rail provided the following initial response:

Action Plan

South East Route has undertaken a number of workstreams which serve to action this issue.

1. *A joint workstream with Southeastern in response to the Lewisham stranded trains event of 2nd March 2018 has been undertaken with lessons learnt shared across the whole Route. Key items arising from this are set out below. The workstream is ongoing but specifically addresses the points raised above.*

2. *The Kent Integrated Control Centre has supplemented the National Operating procedures with a control specific stranded trains protocol setting out key accountabilities (copy attached). Working with ARL it is planned to include align ARL into this document to ensure consistent application of our plans.*
3. *Most recently, the approach to stranded trains has been documented in a "pitstop-style" simplified process which sets out clear accountabilities and timescales for achieving critical actions (copy attached). This has been briefed across both Sussex and Kent Controls*
4. *Along with the pitstop process, South East Route has devised standard milestones which can be applied to stranded trains events to aid learning and tracking of performance.*
5. *Each stranded train event is reviewed via a hot debrief led by the Incident Officer team and involving the control teams and other functions where applicable. The milestones mentioned above are used in these debriefs to provide structure and to identify areas of focus*

Actions above are completed except the inclusion of ARL in the standard format Control plan, scheduled completion 1st March 2019.

Recommendation 3

The intent of this recommendation is that the arrangements for dealing with stranded trains should be regularly exercised and tested.

Network Rail (South East Route) should, in consultation with train operating companies as appropriate, establish and implement processes for regularly exercising and testing its local arrangements for implementing national policy and guidance on managing incidents involving stranded trains, including the safe evacuation of passengers, are regularly exercised and tested (paragraphs 136(c), 137(a), 137(b) and 137(c)).

This recommendation may also apply to other Network Rail routes.

ORR decision

11. We are satisfied Network Rail have established and implemented processes to test their revised arrangements for dealing with stranded trains, including passenger evacuation, in line with recommendation 3. The recommendation reflects existing duties under the Management Regs to monitor, audit and review such arrangements.

12. Network Rail have confirmed they have plans in place to carry out exercises with train operators and the emergency services until April 2020 and are putting the facilities and arrangements in place to do so on a more routine basis in future.

13. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail (SE route) has:

- taken the recommendation into consideration; and
- has taken action to implement it, but we have requested confirmation that Network Rail have plans in place to test procedures beyond the current work year.

Status: Implemented.

Information in support of ORR decision

14. On 9 January 2019 Network Rail provided the following initial response:

Action Plan

The plan is two-fold, part 1 involves learning from incidents to make sure we embed continual improvement and share learning; part 2 is regular testing and drilling:

1. *Stranded trains hot debriefs lead by the Incident Officer team but involving control teams and others as appropriate will be undertaken to identify and share lessons collaboratively*
2. *Standard milestones will be used to support incident learning by highlighting constraints in each incident we manage*
3. *An incident management workshop will be held with each of the key train operators in South East Route. Those for ARL (date) and Southeastern (date) have been held, the GTR workshop is to be held early in 2019 once timetable change focus has subsided*
4. *A series of 4 further exercises will be held through 2019 focusing on management of stranded train events to support embedding of new policies and plans. Debriefs from these actions will be shared on Operations Development Days. To close the action a standard operating procedure will be created for the exercises and dates scheduled*
5. *One of these exercise will be filmed to enable shared learning to a wider audience*

Actions 1 and 2 are complete & closed, action 3 is due for closure by 1st March 2019, action 4 is due for closure by 1st March 2019, but with dates for the exercises extending until April 2020. Action 5 is planned to be completed by the end of April 2019.

15. On 8 August 2019 Network Rail provided the following update:

Network Rail is currently in the process of redeveloping its Incident management training, which includes significant investment in new immersive training facilities and associated technology, which is provided by the Hydra Foundation who provide the same facilities to the emergency services. The South East Route / Southern Region will have one these facilities installed within the Region and works have already commenced to develop the first immersive scenarios which centers on the response and management of a stranded passenger incident.

Along with the Table Top incident management training sessions already planned throughout 2019, Network Rail, Southern Region is also planning on undertaking the

'new' immersive incident management training sessions which will be run jointly with representatives from Train Operating Companies and the Emergency Services with the first sessions planned to commence in early 2020.