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7 April 2016

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

Dear Andrew,

**RAIB Report: Accident to a track worker near Redhill, 24 June 2014**

I write to report<sup>1</sup> on the consideration given and action taken in respect of recommendations 1, 2 and 3 addressed to ORR in the above report, published on 15 June 2015.

The annex to this letter provides details in respect of each recommendation. The status of recommendation 1 is '**Progressing**'. The status of recommendations 2 and 3 is '**Implementation on-going**'. ORR will advise RAIB when further information is available regarding actions being taken to address these recommendations.

We will publish this response on the ORR website by 8 April 2016.

Yours sincerely,

**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

### **Initial consideration by ORR**

1. All 3 recommendations were addressed to ORR when the report was published on 15 June 2015.
2. After considering the recommendations ORR passed all 3 to Network Rail, 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 that all locations which are used as positions of safety should be suitable for that purpose, to minimise the risk when staff need to clear the line for the passage of trains.*

Network Rail should:

- Review each section of line where work while trains are running is authorised, and assess the availability and suitability of the locations that are required to be used as a position of safety. Where these are found to be inadequate, Network Rail should prohibit work while trains are running.
- Ensure that staff responsible for establishing a safe system of work on site are explicitly prompted to consider potential hazards that might call into question the suitability of the position(s) of safety throughout the site (such as the number of people required to use it/them, and whether the ground is reasonably level, in good condition underfoot and free of obstructions) before permitting work to commence (paragraphs 115b, 115c).

#### **ORR Decision**

4. By reviewing the standard 'Lineside Facilities for Personal Safety' (NR/SP/OHS/069), ORR is satisfied that Network Rail is taking appropriate action to review the suitability of sites for red zone working. ORR will review the status of this recommendation once the review of the standard has been completed and Network Rail has used these findings to inform a review of locations that are suitable for red zone working (phase 2).
5. After reviewing all the information received from 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
  - is taking action to implement it but no timebound plan for the completion of the review of locations has yet been provided.

**Status: *Progressing*.** ORR will advise RAIB when further information is available regarding actions being taken to fully address this recommendation.

### **Information in support of ORR decision**

6. Network Rail wrote to ORR 17 December 2015 with the following information:

*In order to conduct a review of each section of line where work can take place open line to assess the suitability of locations to be used as a position of safety, the standard NR/SP/OHS/069 Lineside Facilities for Personnel Safety (formerly RT/CE/S/069) needs to be reviewed and updated.*

#### *Phase 1:*

*An initial review of NR/SP/OHS/069 Lineside Facilities for Personnel Safety (formerly RT/CE/S/069) was conducted at the Track worker Safety Group in October 2015. A more detailed review will consider the following:*

- a. Minimum measurements for positions of safety*
- b. Separation distances*
- c. Definition of a position of safety*
- d. Consideration of condition of position of safety*
- e. Hazards that may impact suitability of position of safety*
- f. How to upskill Safe Work Leader/COSS to identify and understand the risks*
- g. How associated documentation might be updated to identify areas that do not meet the requirements of the revised standard.*

*This review and publication of the new standard is expected to be completed by December 2016.*

#### *Phase 2:*

*Once the new standard is in place, a review of locations will take place to identify where positions of safety are inadequate, and these will be recorded in Hazard Directory. This will be achieved by engagement with the Integration Group and with the Route Managing Directors using the STED Business Partner. Further engagement will be made with IP and NSC via the relevant business partners. The re-assessment will at that time be ongoing and will take place as part of the normal activity of planning work on the infrastructure, and the results used to update the relevant systems.*

*A briefing of the headline requirements of the new standard will be developed and issued via safety hour to ensure that the expectations and understanding of frontline staff are raised.*

## **Recommendation 2**

*The intent of this recommendation is that a consistent and appropriate level of first aid cover is provided for people working on the track.*

Network Rail should review its policy on first aid provision, as defined in company standard NR/L2/OHS/00110, and the way in which this policy is implemented, so that a consistent and appropriate level of first aid cover is provided for people working on or near the line, taking into account the nature of the work and the environment in which it takes place

### **ORR Decision**

7. By reviewing standard NR/L2/OHS/00110, ORR is satisfied that Network Rail are taking appropriate action to review their first aid provision and have an appropriate timescale in place to introduce any changes.

8. After reviewing all the information received from 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
- is taking action to implement it by 3 September 2016.

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

### **Information in support of ORR decision**

9. Network Rail wrote to ORR 17 December 2015 with the following information:

*Network Rail will undertake a review of the first aid provision policy and the way in which it is implemented. The review will take into account the effectiveness of the standard, work instructions and guidance notes. It will also evaluate whether adequate assurance exists in the dissemination of salient and important information throughout the process, so that a consistent and appropriate level of first aid cover is provided for people working on or near the line, in respect of the nature of the work and the environment in which it takes place.*

*Review completion date: 29 February 2016.*

*Should any changes to the policy be required, they will be published and communicated by 31 July 2016. The recommendation will be considered closed when compliance is achieved on 3 September 2016.*

## **Recommendation 3**

*The intent of this recommendation is that there should be a defined and suitable method to address the risk that, after a train has passed a work site, the work group might return to*

*the track while their lookout is still unsighted by that train, and that COSS/SWL and lookouts should be given appropriate training.*

Network Rail should review the training of Controllers of Site Safety (or Safe Work Leaders) (COSS/SWL) and lookouts relating to setting up work under lookout protection. This review should cover the way which the lookout(s) and the COSS/SWL interact to confirm that it is safe for the work group to go on or near the line (particularly after a train has passed), and should include the definition of suitable methods by which lookouts may positively indicate to each other and to the COSS/SWL that the lookout(s) are unsighted and that work may not resume

### **ORR Decision**

10. By carrying out a review of the roles of the COSS/SWL and lookout in relation to leaving a position of safety to go on or near the line, ORR is satisfied Network Rail are taking appropriate action to address this risk.

11. After reviewing all the information received from 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
- is taking action to implement it by 30 June 2016.

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

### **Information in support of ORR decision**

12. Network Rail wrote to ORR 17 December 2015 with the following information:

*A documented review of the training for Controllers of Site Safety and lookouts will take place; specifically focussing on how the COSS/SWL interacts to confirm that it is safe for the work group to go on or near the line. This review will specifically include a review of the method used in this incident and how best to address the potential use of other unauthorised methods.*

*The review will take place as part of the Track Safety Training Review Group (TSTRG) during February 2016, which reviews and implements changes to the track safety training material. Any identified updates will be made to the training materials by June 2016.*

*The TSTRG meet biannually in line with rule book updates and is managed by Professional Development and Training and chaired by the Trackworker Safety Specialist.*