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3 December 2015



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

Dear Andrew,

**RAIB Report: Parting of the live overhead wire at Walkergate station, Tyne and Wear Metro**

I write to report<sup>1</sup> on the consideration given and action taken in respect of the recommendations addressed to ORR in the above report, published on 30 July 2015.

Annex A to this letter provides details of the consideration given/action taken in respect of these recommendations. The status of recommendations 1, 2 and 3 is '**Implementation ongoing**'. ORR will advise RAIB when further information is available regarding actions being taken to fully address this recommendation.

We will publish this response on the ORR website on 11 December 2015.

Yours sincerely,

**Andrew Eyles**

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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 30 July 2015.
2. After considering the recommendations ORR passed recommendation 1 to Nexus (with a note to DB Regio Tyne and Wear (DBTW) suggesting that it might be asked to provide input into the second part of the recommendation) and recommendations 2 and 3 jointly to Nexus and DBTW 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.

#### **Recommendation 1**

*The intent of this recommendation is to achieve an improved safety management system at Nexus better capable of managing its shared risks.*

Nexus should review its safety management system to ensure that it provides an adequate framework for the management of its shared risks. Nexus should also review the effectiveness of current arrangements with DBTW with a view to reaching a more effective arrangement on the exchange of relevant safety information to facilitate the management of shared risks.

#### **Recommendation 2**

*The intent of this recommendation is for Nexus and DBTW to better understand the risks that are created at the interface between their respective operations.*

Nexus together with DBTW should identify (or review) and assess jointly created risks that occur at all interfaces between the infrastructure, power operations and trains. This should include the use of suitable risk assessment methodologies appropriate for identifying potential failure modes and their consequences, and a recognised technique for assessing the extent to which additional mitigations are required to reduce the risk as low as reasonably practicable. To this end, Nexus and DBTW should ensure that they have access to, and utilise, competent advice on conducting assessments of system-wide risks.

#### **Recommendation 3**

*The intent of this recommendation is to achieve a comprehensive set of power control procedures to aid power controllers to make safe decisions.*

Nexus and DBTW should together complete the on-going review of procedures and practices followed by power controllers, with a view to providing a codified set of procedures, that have been appropriately risk assessed. Such procedures should be

briefed out to power controllers and linked to the power controllers' training and competence management systems.

### **ORR decision**

3. Having considered the action plan presented by Nexus in response to all three recommendations, and having been involved in discussions with both duty holders during its development, ORR considers the delivery of the workstreams identified by Nexus and DBTW will satisfactorily implement the recommendation. ORR will continue to monitor progress of delivery through its regular liaison meetings with both operators.

4. After reviewing all the information received from Nexus and DBTW, ORR concludes that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, they have:

- taken all three recommendations into consideration; and
- are taking action to implement them by 30 June 2016.

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

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

5. Nexus wrote to ORR on 21 September 2015 providing an action plan which it had produce collaboratively with DBTW to address each of the recommendations. This action plan is attached at Annex B.

6. Nexus also provided the following statement about the management of similar risks whilst the action plan is being implemented:

*While the action plan seeks to remedy the inadequacies identified in the RAIB investigation report, it should be noted that Nexus shall continue to manage the risks identified in the report using the current management arrangements supported by the interim arrangements in the event of an OHL trip as discussed with the ORR. Where opportunities are identified through the work associated with the action plan to improve our arrangements to manage the risks identified in the RAIB report, Nexus shall seek to incorporate improvements when appropriate.*

<b><u>WKG RAIB Investigation Report</u></b>			
<b><u>Recommendation Action Plan</u></b>			
<b><u>RECOMMENDATION</u></b>	<b><u>PLANNED ACTION</u></b>	<b><u>BY WHEN</u></b>	<b><u>BY WHO</u></b>
<p><b><u>Recommendation 1</u></b></p> <p><b>“The intent of this recommendation is to achieve an improved safety management system at Nexus better capable of managing its shared risks”</b></p> <ol style="list-style-type: none"> <li>1) Nexus should review its safety management system to ensure that it provides an adequate framework for the management of its shared risks.</li> <li>2) Nexus should also review the effectiveness of current arrangements with DBTW with a view to reaching a more effective arrangement on the exchange of relevant safety information to facilitate the management of shared risks.</li> </ol>	<p>The first sentence within the recommendation is a matter for Nexus alone to address. We shall be reviewing our SMS, particularly our risk management element to make adequate provision to provide various ‘tools’ (HAZOP, Bow Tie, Fish Bone, etc.) to assess and manage risk with consideration given to ORR, RSSB (risk model) and industry practice and guidance. NHSE-POL-003 – Safety certificate &amp; authorisation section 5 ‘risk management’ and our safety verification process shall be reviewed to consider the above.</p> <p>The second element of the recommendation should be addressed by reviewing the current arrangements for sharing, discussing and resolving safety matters. For the context of this report we should pay particular attention to matters that involve the fleet, engineering and Power Control. A review of the following current arrangements for sharing / discussing safety matters shall be undertaken: Concession safety meeting, Rules review committee, daily log / conference call, OPSRAM, KMD, DB access to Nexus Share Point. Nexus and DBTW share a Joint Risk Register (JRR) which identifies interface risks, the ownership of those risks and how they are mitigated. This JRR is reviewed annually by each organisation and then jointly to discuss changes to the interface risks affecting both organisations. This JRR should be formally reviewed as part of this action.</p>	<p>Oct 2015 (to incorporate into ROGS renewal)</p> <p>Mar 2016 (for evidence of RA approach from Recommendation 2)</p> <p>Jan 2016</p> <p>Mar 2016 for evidence.</p>	<p>Nexus HSTQ&amp;E for the first element</p> <p>Nexus HSTQ&amp;E leading DBTW HSC with support from both concession departments</p>

<p><b><u>Recommendation 2</u></b></p> <p><b>“The intent of this recommendation is for Nexus and DBTW to better understand the risks that are created at the interface between their respective operations”.</b></p> <p>Nexus together with DBTW should identify (or review) and assess jointly created risks that occur at all interfaces between the infrastructure, power operations and trains. This should include the use of suitable risk assessment methodologies appropriate for identifying potential failure modes and their consequences, and a recognised technique for assessing the extent to which additional mitigations are required to reduce the risk as low as reasonably practicable. To this end, Nexus and DBTW should ensure that they have access to, and utilise, competent advice on conducting assessments of system-wide risks.</p>	<p>Jointly, Nexus &amp; DBTW fleet / engineering teams should review the risks and controls in respect of line breakers, power distribution, OHL (re-set) and on train power supply / controls to produce one all-encompassing risk assessment. The criteria for that work stream should be set by the two H&amp;S departments who should also facilitate any meetings and be responsible for approving the risk assessment methodology that is utilised.</p>	<p>Criteria Oct 2015</p> <p>Series of engineering meetings beginning Oct 2015 (ongoing to conclusion)</p> <p>Mar 2016 – update</p> <p>June 2016 – conclusion of RA.</p>	<p>Both health &amp; safety departments shall jointly set the criteria for this action and facilitate to allow both engineering departments to produce the all-encompassing risk assessment.</p>
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