

Oliver Stewart
Senior Executive, RAIB Relationship and
Recommendation Handling

Telephone 020 7282 3864
E-mail oliver.stewart@orr.gsi.gov.uk

13 February 2020



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 on 11 August 2014

I write to provide an update¹ on the action taken in respect of recommendations 1, 2 & 3 addressed to ORR in the above report, published on 30 July 2015.

The annex to this letter provides details of the action taken regarding the recommendations. The status of recommendations 1, 2 & 3 is '**implemented**'.

We do not propose to take any further action in respect of the recommendations, unless we become aware that any of the information provided has become inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 14 February 2020.

Yours sincerely,

Oliver Stewart

¹ 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 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.

ORR decision

1. At the time of the incident the Tyne & Wear Metro was operated by DB Regio Tyne & Wear (DBTW), an arrangement which has since ended. The operation of the system is no longer out sourced and is carried out in house by Nexus.
2. The outcome of the SMS review was to hold regular meetings between DBTW Head of Safety & Compliance and the Nexus Head of Health, Safety, Quality & Environment and sharing a Joint Risk Register (JRR).
3. A new iteration of the SMS was introduced in 2018 following ROGS recertification. The SMS reflects the fact contractual arrangements have changed significantly since the Walkergate incident.
4. Nexus are planning to introduce a new vehicle fleet with maintenance contracted to the vehicle supplier, rather than done in house as it is currently. We will expect the Nexus SMS to be revised to take account of this significant change.
5. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Nexus has:
 - taken the recommendation into consideration; and
 - has taken action to implement it.

Status: Implemented.

Previously reported to RAIB

6. On 3 December 2015 ORR reported the following:

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.

Update

7. On 26 November 2019 Nexus provided the following update:

The former DBTW Head of Safety & Compliance and the Nexus Head of Health, Safety, Quality & Environment convened regular joint safety meetings, and reinvigorated the Joint Risk Register (JRR). The JRR remains our overarching system risk model, and is reviewed every four weeks in the context of new RAIB and other accident/incident reports that may indicate that a new risk has emerged, or that an existing risk requires reassessment. It is our intention to refine the JRR to allow it to reflect equivalent fatalities, following recent discussion with your colleague Chris Goodlad in the context of our revised ROGS submission.

There are no current plans to outsource operation of the T&W Metro; should this ever be proposed, we would address the safety (and other) requirements of such a significant change in accordance with whatever codes, standards and legislation might be applicable at that time.

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.

ORR decision

8. Nexus/DBTW identified the learning from this incident and incorporated it into updated procedures as outlined in the response to recommendation 1. As noted for recommendation 1, once Nexus begin operating new rolling stock, with vehicle maintenance no longer carried out in house, we would expect the SMS to be revised to take account of this change and the interface created between Nexus and the vehicle maintainer.

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

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

Status: Implemented.

Previously reported to RAIB

10. On 3 December 2015 ORR reported the following:

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.

Update

11. On 26 November 2019 Nexus provided the following update:

A joint Nexus/DBTW working group was convened. This considered the state of the line breaker that failed because of the electrical overload current that had flowed under the conditions set up by the combination of the old circuit breaker settings, and the practice of breaker resetting. This informed the production of the guidance documentation referred to in Recommendation 3.

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

12. In response to the recommendation Nexus introduced a set of documents for Power Controllers covering action to take in the event of particular faults. The procedures have been briefed to all relevant staff, are available for instant reference and have been incorporated into the competence management system (CMS) for Infrastructure Controllers.

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

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

Status: Implemented.

Previously reported to RAIB

14. On 3 December 2015 ORR reported the following:

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.

Update

15. On 26 November 2019 Nexus provided the following update:

Following the incident and in response to the RAIB recommendation, a suite of documents was produced for the Power Controller to refer to in the event of an OHL breaker trip; an emergency disconnection because of an obstruction on the OHL; an immediate emergency disconnection; NPG 11kV feeder maintenance; and an NPG 11kV feeder fault.

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.