



Stakeholder survey

The Railways and Other Guided
Transport Systems (Safety)
Regulations 2006 (as amended)

August 2015

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Purpose of this survey

The purpose of this survey is to capture stakeholders' views and experience of the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended) (ROGS) so that we can determine their effectiveness.

Evidence from this survey will form part of a post implementation review (PIR) to establish whether, and to what extent, ROGS

- have achieved their original objectives;
- have objectives which are still valid;
- are still required and remain the best option for achieving those objectives; and
- can be improved to reduce the burden on business and overall costs.

ORR's [consultation document](#) provides further information and background on the PIR.

Who should complete this survey

We are interested in hearing from anyone who has a duty under ROGS or are affected by their provisions.

Completing the survey

We would be grateful for responses which are as comprehensive as possible and especially those which provide evidence and examples of how ROGS operate in practice and affect your business or operations. For questions with a tick-box, please double-click the box and under 'Default value' select 'Checked' and 'OK'. The survey should take no longer than 20-25 minutes to complete.

Responding to us

Please send your responses, preferably in electronic format, by **13 October 2015** to:

Stefano Valentino
Office of Rail and Road, 1 Kemble Street, London WC2B 4AN
E-mail: stefano.valentino@orr.gsi.gov.uk Tel: 0207 282 2003

Please note: So that we are able to apply web standards to content on our website, we would prefer that you email us your response either in Microsoft Word format or OpenDocument Text (.odt) format.

If you do send us a PDF document, please:

- create it from the electronic Word file (preferably using Adobe Acrobat), as opposed to an image scan, where possible; and
- ensure that the PDF's security method is set to no security in the document properties.

You should indicate clearly if you wish any part of your response to remain confidential to ORR. The results of this survey will be aggregated and presented so that individual respondents will not be identifiable. However, we may publish the names of respondents in future documents or on our web site, unless you indicate that you wish your name to be withheld.

Section 1: Organisational details

1. Please enter you contact details		
Your name		
Job title		
Organisation name		
Telephone number		
Email		
Website		
2. What best describes the role of your organisation? (Select one box only)	Infrastructure manager	<input type="checkbox"/>
	Train operating company (TOC)	<input type="checkbox"/>
	Freight operating company	<input type="checkbox"/>
	On-Track Machine operation (OTM)	<input type="checkbox"/>
	Possession-only operation	<input type="checkbox"/>
	Maintainer of vehicles or infrastructure	<input type="checkbox"/>
	Entity in charge of maintenance (ECM)	<input type="checkbox"/>
	Rolling stock manufacturer or company (incl. Leasing companies)	<input type="checkbox"/>
	Metro system (e.g. London Underground, Tyne & Wear Metro)	<input type="checkbox"/>
	Light railway	<input type="checkbox"/>
	Tramway	<input type="checkbox"/>
	Railway (or other transport system) operating under 40 km/h	<input type="checkbox"/>
	Trade union	<input type="checkbox"/>
	Passenger group	<input type="checkbox"/>
	Other	<input type="checkbox"/>
If "Other", please specify below		

3. Please indicate the size of your organisations (employees in this case includes voluntary workers) (Select one box only)	Less than 10 employees	<input type="checkbox"/>
	Between 11 and 50 employees	<input type="checkbox"/>
	Between 51 and 250 employees	<input type="checkbox"/>
	More than 250 employees	<input type="checkbox"/>
4. If known, please indicate your organisation's annual turnover in 2014 (£)		

Section 2: General feedback on ROGS

5. Please provide your views on the following statement by ticking the box which most accurately reflects your opinion: (Select one box only) "I think that ROGS are working well"	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No opinion
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Please explain your answer					
6. What impacts do ROGS have on you or your organisation? (Select one box only)	Very positive impact					<input type="checkbox"/>
	Positive impact					<input type="checkbox"/>
	Neutral impact					<input type="checkbox"/>
	Negative impact					<input type="checkbox"/>
	Very negative impact					<input type="checkbox"/>
	Not sure					<input type="checkbox"/>
	Please explain your answer					
7. From your experience, have there been any unintended effects from ROGS? (Select one box only)	Yes					<input type="checkbox"/>
	No					<input type="checkbox"/>
	Not sure					<input type="checkbox"/>
	If "Yes", please specify below					

8	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No opinion
<p>Please provide your views on the following statement by ticking the box which most accurately reflects your opinion: (Select one box only)</p> <p>“From experience, I believe that costs associated with complying with ROGS have been proportionate to the benefits”</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	Which of the following do you think should apply to ROGS? (Select one box only)					
ROGS should remain without amendment				<input type="checkbox"/>		
ROGS should remain but with some changes made				<input type="checkbox"/> (Please go to question 11)		
ROGS should be removed and not be replaced				<input type="checkbox"/> (Please go to question 10)		
ROGS should be replaced or redesigned				<input type="checkbox"/> (Please go to question 12)		
Other (Please specify below)				<input type="checkbox"/>		
Please explain your answer						
10.	If you selected “ROGS should be removed and not be replaced” in Question 9, please indicate what you think would happen. What arrangements would exist in their place?					
11.	If you selected “ROGS should remain but with some changes” in Question 9, what changes would you like to see?					
12.	If you selected “ROGS should be replaced or redesigned” in Question 9, what should ROGS look like in these circumstances?					

13. When reviewing Regulations it is standard practice to assess if these have had a disproportionate impact on businesses with less than 50 employees (including volunteers). Do you think that this is an issue of concern for ROGS? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	If yes, please specify below	

Section 3 – Implementation of ROGS

(This Section is mainly concerned with amendments made to ROGS in 2011 and 2013)

Entities in charge of maintenance

14. Do the 'entity in charge of maintenance' (ECM) requirements in ROGS apply to you or your organisation? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>

If "No" or "Not sure", please go straight to Question 20.

15. Which of the following activities have you performed in relation to an ECM or a vehicle? (Select all boxes that apply).	Assign an ECM to a vehicle	<input type="checkbox"/>
	Register a vehicle in the National Vehicle Register (NVR)	<input type="checkbox"/>
	Carry out a system of maintenance to ensure a rail vehicle is safe to run on the rail network	<input type="checkbox"/>
	Obtained an ECM certificate for freight wagons	<input type="checkbox"/>
	Other	<input type="checkbox"/>
	If "Other", please specify below	

16. To what extent have the ECM requirements caused you to revise your arrangements? (Select one box only)	A completely new set of processes was required		<input type="checkbox"/>			
	Our existing set of processes required major changes		<input type="checkbox"/>			
	Our existing set of processes required minor changes		<input type="checkbox"/>			
	Our existing set of processes was suitable in its current format		<input type="checkbox"/>			
	Not applicable		<input type="checkbox"/>			
17. Compared to the time before ECMs were introduced into ROGS in 2011, the cost relating to rail vehicle maintenance is: (Select one box only)	More		<input type="checkbox"/>			
	Less		<input type="checkbox"/>			
	About the same		<input type="checkbox"/>			
	Not sure		<input type="checkbox"/>			
18(a) Please provide your views on the following statement by ticking the box which most accurately reflects your opinion: (Select one box only) “The ECM regime provides greater assurance that the maintenance of rail vehicles is controlled to an acceptable level in terms of risk and cost”	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No opinion
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18(b) Please provide your views on the following statement by ticking the box which most accurately reflects your opinion: (Select one box only) “An ECM certificate provides assurance that an ECM is able to safely maintain the freight wagons for which it has responsibility”	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No opinion
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18(c) Please provide your views on the following statement by ticking the box which most accurately reflects your opinion: (Select one box only)	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	No opinion
<p>“An ECM certificate reduces a transport undertaking’s (TOC or FOC) time and cost spent ensuring that freight wagons have been properly and safely maintained”</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>19. To what extent do you think the ECM regime has affected safety? (Select one box only)</p>	Improved safety					<input type="checkbox"/>
	Hindered safety					<input type="checkbox"/>
	No change					<input type="checkbox"/>
	Not sure					<input type="checkbox"/>
	Other (please specify below)					<input type="checkbox"/>
	Please explain your answer					
Annual safety report						
<p>20. The requirement for non-mainline transport operators to send an annual safety report to ORR was removed from ROGS in 2013. Did this removal apply to you or your organisation as a duty holder? (Select one box only)</p>	Yes					<input type="checkbox"/>
	No					<input type="checkbox"/>
	Not sure					<input type="checkbox"/>
If “No” or “Not sure”, please go straight to Question 23.						
<p>21. Since the removal of the requirement, the cost and time spent on safety reporting is: (Select one box only)</p>	More					<input type="checkbox"/>
	Less					<input type="checkbox"/>
	About the same					<input type="checkbox"/>
	Not sure					<input type="checkbox"/>
<p>22. What impacts did the removal of the annual safety report requirement have on you or your organisation? (Select one box only)</p>	Very positive impact					<input type="checkbox"/>
	Positive impact					<input type="checkbox"/>
	Neutral impact					<input type="checkbox"/>
	Negative impact					<input type="checkbox"/>
	Very negative impact					<input type="checkbox"/>
	Not sure					<input type="checkbox"/>
Please explain your answer						

23. If the removal of the annual safety report requirement did not apply to you or your organisation as a duty holder, do you have any comments to make about the removal? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	If "Yes", please make your comments below	

Safety verification

24. The requirement for mainline transport operators to carry out safety verification was removed from ROGS in 2013. Did this removal apply to you or your organisation as a duty holder? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
If "No" or "Not sure", please go straight to Question 27.		

25. Since removal of the requirement, the cost and time spent on assessing and managing risks associated with safety-related significant changes is: (Select one box only)	More	<input type="checkbox"/>
	Less	<input type="checkbox"/>
	About the same	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>

26. What impacts did the removal of safety verification have on you or your organisation? (Select one box only)	Very positive impact	<input type="checkbox"/>
	Positive impact	<input type="checkbox"/>
	Neutral impact	<input type="checkbox"/>
	Negative impact	<input type="checkbox"/>
	Very negative impact	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
Please explain your answer		

27. If the removal of safety verification did not apply to you or your organisation as a duty holder, do you have any comments to make about the removal? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	If "Yes", please make your comments below	

Definition of "mainline railway"

28. Do you think that the definition of "mainline railway" inserted into ROGS in 2013 provides better clarity on what systems (such as metros, light rail, heritage, functionally separate) are excluded from the mainline railway? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	

29. Do you think that a determination by ORR and publication of a list of systems (such as metros, light rail, heritage, functionally separate) provides better clarity that they are excluded from the mainline railway? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	
30. What impacts did the change of the definition of “mainline railway” have on you or your organisation? (Select all boxes that apply)	Very positive impact	<input type="checkbox"/>
	Positive impact	<input type="checkbox"/>
	Neutral impact	<input type="checkbox"/>
	Negative impact	<input type="checkbox"/>
	Very negative impact	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	

Safety critical work

31. Is your organisation responsible for controlling the work of safety critical workers? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>

If “No” or “Not sure”, please go straight to Question 33.

32. What measures are taken in your organisation to control the risk of fatigue for safety critical workers? (Select all boxes that apply)	Control the number of hours worked	<input type="checkbox"/>
	Review factors (other than hours worked) which influence worker fatigue (e.g. shift patterns, frequency of breaks, commute time, etc.)	<input type="checkbox"/>
	Follow the ROGS Nine-Stage approach	<input type="checkbox"/>
	Follow the ORR guidance: <i>Managing Rail Staff Fatigue</i>	<input type="checkbox"/>
	Follow Health and Safety Executive guidance	<input type="checkbox"/>
	Other	<input type="checkbox"/>
	If “Other”, please specify below	

33. In 2011 ROGS were amended to clarify that the definition of “work” in ‘safety critical work’ includes volunteers. Do you think there is now greater clarity about who the safety critical work requirements apply to? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	
34. What impacts did the change of the definition of “work” have on you or your organisation? (Select all boxes that apply)	Very positive impact	<input type="checkbox"/>
	Positive impact	<input type="checkbox"/>
	Neutral impact	<input type="checkbox"/>
	Negative impact	<input type="checkbox"/>
	Very negative impact	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	
35. ROGS were amended in 2013 to require ‘ suitable and sufficient ’ arrangements for monitoring the competence and fitness of safety critical workers. Do you think that this change has provided better clarity on what is required? (Select one box only)	Yes	<input type="checkbox"/>
	No	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	
36. What impacts did the insertion of “ suitable and sufficient ” have on you or your organisation? (Select all boxes that apply)	Very positive impact	<input type="checkbox"/>
	Positive impact	<input type="checkbox"/>
	Neutral impact	<input type="checkbox"/>
	Negative impact	<input type="checkbox"/>
	Very negative impact	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	

Affected parties

<p>37. In 2013 the 'affected party' 28-day consultation period was amended in ROGS to run concurrently with the four-month assessment period. What impacts did this have on you or your organisation? (Select one box only)</p>	Very positive impact	<input type="checkbox"/>
	Positive impact	<input type="checkbox"/>
	Neutral impact	<input type="checkbox"/>
	Negative impact	<input type="checkbox"/>
	Very negative impact	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	

Common safety indicators

<p>38. In 2011 Schedule 3 of ROGS (common safety indicators) was replaced with a new one to improve reporting and data quality and improve consistency with Eurostat data. What impacts did this have on you or your organisation? (Select one box only)</p>	Very positive impact	<input type="checkbox"/>
	Positive impact	<input type="checkbox"/>
	Neutral impact	<input type="checkbox"/>
	Negative impact	<input type="checkbox"/>
	Very negative impact	<input type="checkbox"/>
	Not sure	<input type="checkbox"/>
	Please explain your answer	

Section 4: Additional comments

38.	Are there any additional comments you would like to make about ROGS or would you like to expand on any of your previous answers?

Thank you for completing this survey

Use of the name, the Office of Rail and Road, reflects the new highways monitor functions conferred on ORR by the Infrastructure Act 2015. Until this name change is confirmed by legislation, the Office of Rail Regulation will continue to be used in all documents, decisions and matters having legal effects or consequences.



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