

**RAILWAY INDUSTRY HEALTH AND SAFETY ADVISORY COMMITTEE (RIHSAC) –  
123rd meeting**

**13:00-15:30 on Wednesday 16 November 2022  
25 Cabot Square, London, E14 4QZ**

**AGENDA**

Time	Item	Purpose	Presenter
13:00	<b>Welcome, introductions and apologies for absence</b>	To introduce and set the context for the meeting	<b>Justin McCracken</b> ORR
13:05	<b>Review of actions and agreeing the minutes from the 122<sup>nd</sup> RIHSAC meeting</b>		ORR
13:10	<b>Health and Safety Regulation Committee (HSRC) update</b>	To share key issues discussed at HSRC with RIHSAC members	<b>Justin McCracken</b> ORR
13:20	<b>Track worker safety in Network Rail</b>		<b>Tom Wake</b> ORR
13:45	<b>Chief Inspector (CI) update</b>	To update members on topical health & safety issues for ORR and the industry, from the Chief Inspector's perspective	<b>Ian Prosser</b> ORR
14:10	<i>break</i>		
14:20	<b>ORR's 2022 Risk Profiling exercise</b>		<b>Garry Stimpson</b> ORR
14:40	<b>Rail Transformation Programme – Safety Assurance</b>		<b>Simon French, Vaibhav Puri</b> RSSB <b>Paul Appleton</b> ORR
15:20	<b>Forward planning</b>	To share the items already on the forward plan and request additional items from the committee	ORR
15:25	<b>Meeting review and next meeting</b>	.	<b>Justin McCracken</b> ORR
15:30	<b>Meeting closes</b>		



## Railway Industry Health and Safety Advisory Committee (RIHSAC)

### Minutes of the 122nd RIHSAC Meeting

Wednesday 22 June 2022

#### Microsoft Teams

#### Present:

Justin McCracken	ORR
Ian Prosser	ORR
Richard Hines	ORR
Tim Gill	ORR
Max Buffey	ORR
Paul Appleton	ORR
Christopher Davies	ORR
John Cartledge	Independent passenger interest
Ali Chegini	RSSB
Allan Spence	Network Rail
David Porter	IOSH
David Davies	PACTS
Jason Connelly	Transport Scotland
Mark Ashmore	UKTram/LRSSB
Phil Barret	Rail Partners
David Clarke	Railway Industry Association
Geoff Spencer	Chair of National Freight Safety Group Steering Group
Alastair Young	Transport Scotland
Arthur Leathley	London Travel Watch
Rob Miguel	Unite the Union
Jonathan Havard	RMT
Andrew Hall	RAIB
Pam Warren	

**Welcome, introductions,  
apologies for absence, and actions from 24 February 2022 meeting.**

1. Recording of the meeting commenced (and would be deleted once minutes were written). Justin McCracken (JM) welcomed everyone to the meeting laying out rules for asking questions in the virtual settings. Justin noted apologies from Nadine Rae, Vincent Borg and Emma Head.
2. There were no actions from the last meeting. Subject to one correction to the minutes (the date of the meeting), the minutes from 24 February 2022 were agreed.

### **Health and Safety Regulation Committee (HSRC) update (Justin McCracken)**

3. There was a discussion about ORR's report into the work done by the Light Rail Safety and Standards Board (LRSSB). There is follow up work needed in the sector, including on getting some reporting on better comparative data on tram incidents.
4. HSRC agreed that a future discussion on autonomous vehicles, and their introduction into various transport areas, would be beneficial.
5. HSRC received a report on ORR work with EuroTunnel and the Channel Tunnel Safety Authority (CTSA) in relation to the ElecLink project, which has now gone live.
6. HSRC also discussed ORR's Annual Health and Safety Report, which Ian Prosser will discuss later in the meeting.
7. There was a discussion with David Horne from LNER on TOC issues, including the issues related to the supply and use of software on trains. ORR will also be following up on what lessons can be learnt from the aviation industry.
8. Also discussed were several new or revised strategic risk chapters, including one on electrical safety and another on civil structures.

### **Chief Inspector (CI) update (Ian Prosser)**

9. Ian gave a presentation on the forthcoming ORR Annual Health and Safety Report. He outlined the key areas ORR are focusing on and the themes in this year's annual report
  - Arthur Leathley asked if Ian could be more specific on where we are seeing risks. Ian responded that ORR is very focused on civils structures and earthworks and also that we need to make sure people are focused on the day job and don't lose focus on traditional areas of risk.
  - Rob Miguel was happy to note the emphasis that was being put on health issues. He asked if we have any plans for targeted inspections related to health. Paul Appleton responded that whilst we won't have a large campaign, ORR have been targeting things such as legionella and welding fumes.

**Action 122.1** Paul mentioned that he will put Rob in touch with Sharon Mawhood, ORR's occupational health lead.

- David Porter asked about track worker safety, regarding the closing out of the notices. In particular, will attention be kept on this and how will ORR monitor improvement in the regions? Ian noted that near misses are significantly down, but we do need to make sure that the new safer ways of working are embedded, and monitoring will continue. Allan Spence added that closing notices relies on effective monitoring of performance.
- John Cartledge asked what technology improvements will have applications for passenger safety and Passenger Track Interface (PTI). Ian responded by referring to several advances in areas such as cameras and artificial intelligence to help identify people on the platform and track behavior.

### **Item on Climate Change and Railway (Christopher Davies)**

10. The first presentation was from Chris Davies on climate change, and its impacts on the railway

- Arthur Leathley asked how the issues relating to climate change are determining budgets and how it is being assessed? Chris answered that it is part of the funding package but can't answer at the moment on how that money will be divided.
- Jonathan Havard asked why does Scotland have more monitoring for convective storms, with a much higher accuracy? Allan Spence commented that there are seven NR meteorological posts across the whole of the UK, not just Scotland. Jonathan had a second question regarding the decision-making on lineside trees being either fully uprooted rather than regularly trimmed back and the impact that has on soil erosion. Chris responded that it is not a straightforward decision, as just having the trees there entails a risk, but a planned and risk assessed approach is taken. Allan Spence also commented that this is part of Network Rail's action plan.
- Ali Chegini asked where the weather resilience climate change adaptation strategy fits in the with the overall industry strategic plan, and what is the relationship between that and a sustainable rail strategy? Chris answered that in terms of how that fits in, those plans are produced by Network Rail and there are not equivalent plans in other parts of the industry, although this does need to be addressed. There is significant overlap between the two strategies, and closely interlinked.
- David Clarke added to the previous question that the links between strategies are there, prioritisation is what will be the main difficulty. Justin asked if there was a timeline for a plan to deliver the strategy? David responded that there is currently a consultation ongoing, which is an important driver in prioritisation.

### **Item on Rail Accident Investigation Branch Annual Report (Andrew Hall)**

11. Andrew Hall talked through a slide pack, detailing the themes of the RAIB annual report

- Arthur Leathley asked whether there is anything more that can be done for passengers themselves alerting authorities to safety concerns? Andrew Hall responded that industry

reporting is very good and whilst numbers are down, the number of reports from the public, relatively speaking, is still high.

### **Forward planning (Tim Gill/Justin McCracken)**

12. Due to time constraints, Justin asked members to contact Tim with future items for the committee to discuss.

**Action** – RISHAC members to contact Tim directly with any future agenda ideas.

### **Meeting review (Justin McCracken)**

13. Justin reflected on the meeting running smoothly as an online meeting and confirmed the next meeting in October would also be an MS Team meeting only.

14. Justin noted that this will be Allan Spence's last RIHSAC attendance as he leaves his position in Network Rail and thanked him for his contributions to RIHSAC.

**Next meeting: October 17<sup>th</sup> 2022.**

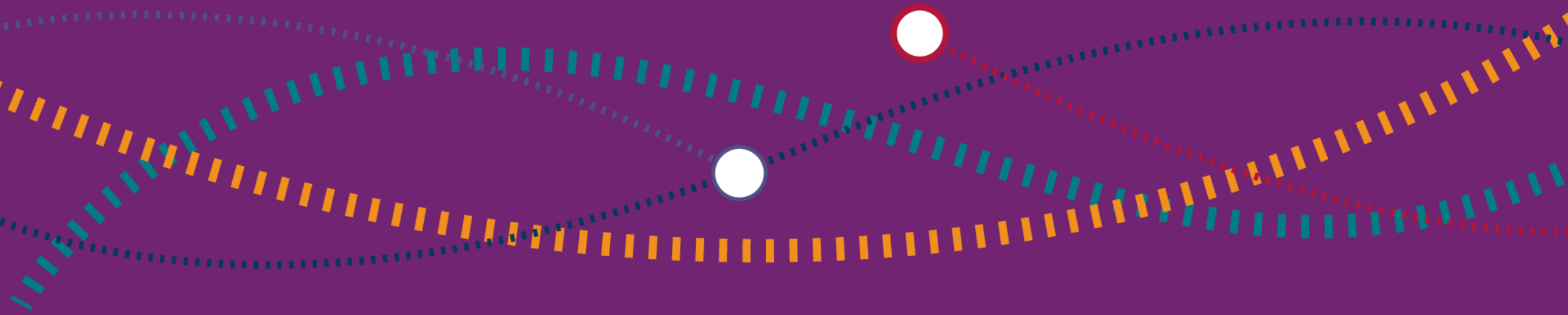
## Glossary of abbreviations

ASLEF	Associated Society of Locomotive Engineers and Firemen
COSHH	Control of Substances Hazardous to Health Regulations
CP	Control Period
DfT	Department for Transport
DI, NI	Department for Infrastructure, Northern Ireland
FOC	Freight Operating Company
GDPR	General Data Protection Regulation
HMRI	Her Majesty's Railway Inspectorate
HS2	High speed 2
HSRC	Health and Safety Regulation Committee
IGC	Intergovernmental Commission (on the Channel Tunnel)
IOSH	Institution of Occupational Safety & Health
ISO	International Standards Organisation
LHSBR	Leading Health & Safety on Britain's Railways
LUL	London Underground Ltd
NR	Network Rail
ORR	Office of Rail and Road
OH	Occupational health
PACTS	Parliamentary Advisory Committee on Transport Safety
PPE	Personal protective equipment
PTI	Platform train interface
RAIB	Rail Accident Investigation Branch
RDG	Rail Delivery Group
RIHSAC	Rail Industry Health and Safety Advisory Committee
RM3	Risk management maturity model
RMT	Rail Maritime & Transport Union
ROI	Republic of Ireland
RSD	Rail Safety Directorate (of ORR)
RSSB	Rail Safety and Standards Board
SRC	Strategic Risk Chapter
TOC	Train Operating Company
TSSA	Transport Salaried Staffs Association
TUC	Trades Union Congress

# Track Worker Safety

## Reflections on ORR action

16<sup>th</sup> November 2022



# Network Rail's progress on track worker safety

Huge gains in safety

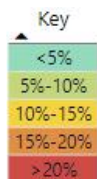
- Automation, possessions, line blockages
- Better planning
- Use of protection and warning technology

It looks as if Network Rail has achieved a 'generational shift'

- A new generation of maintenance workers will have never experienced unassisted lookout (or 'red zone') working
- Numbers of qualified lookouts are dwindling – a conscious decision
- Far more automation now available



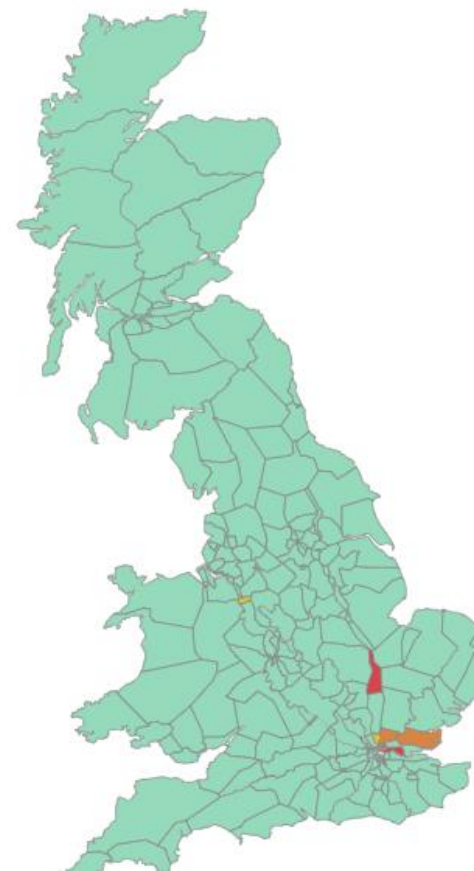
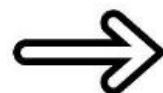
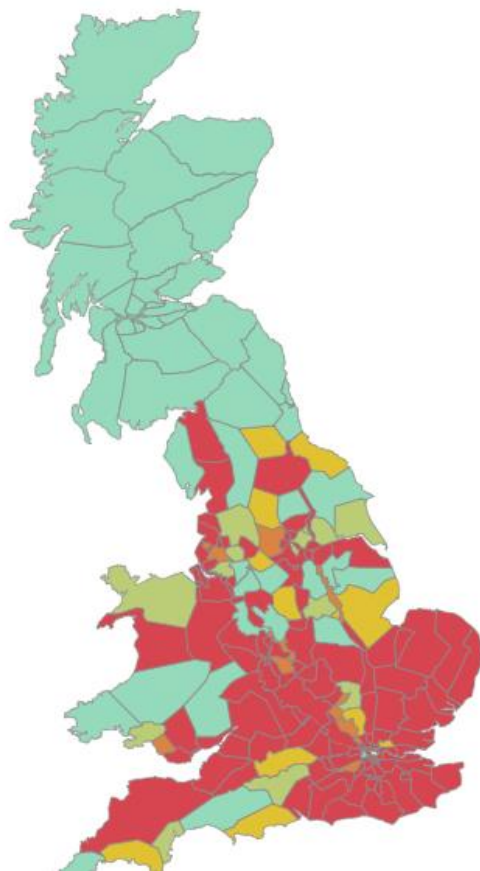
# What's been achieved



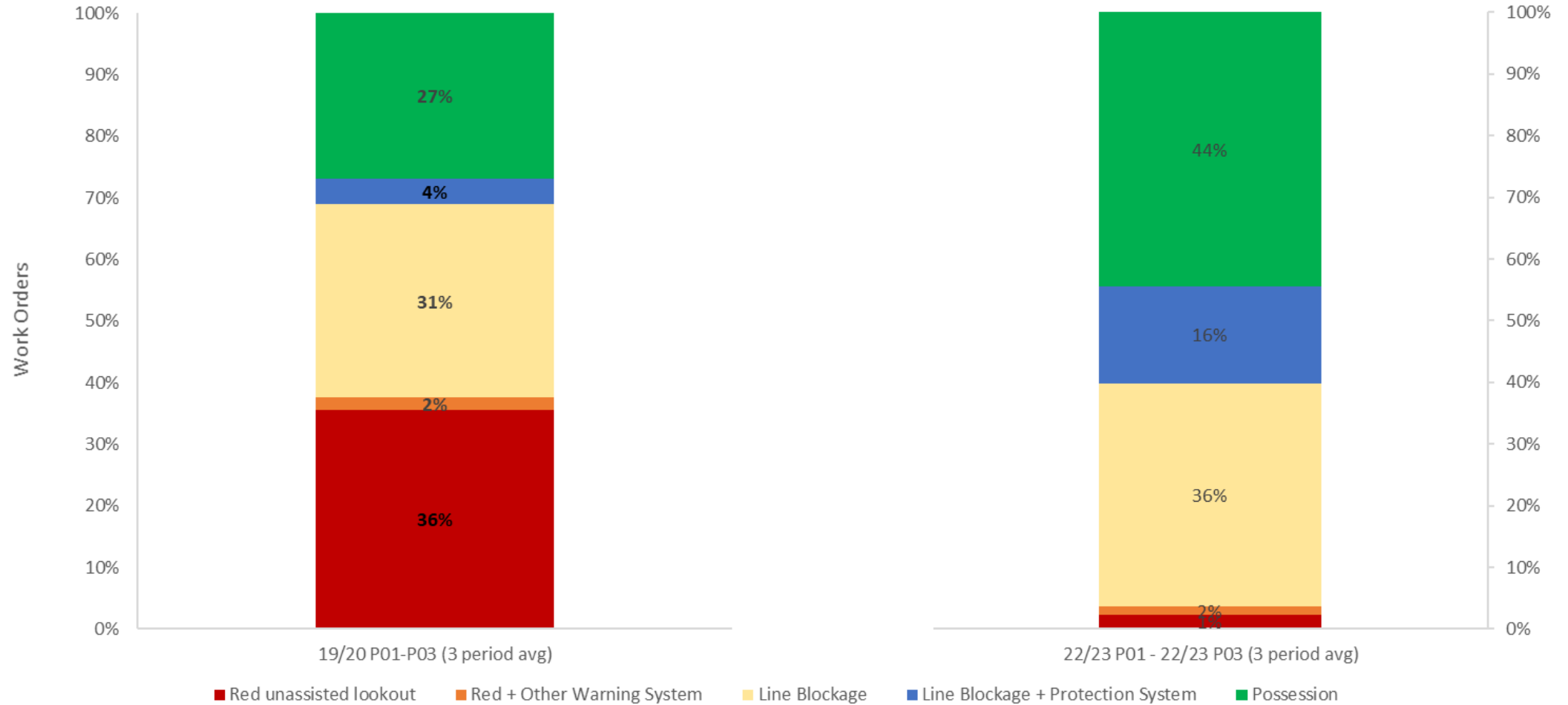
R8 - Red unassisted lookout Hours - National

19/20 P01

22/23 P02



# What's been achieved



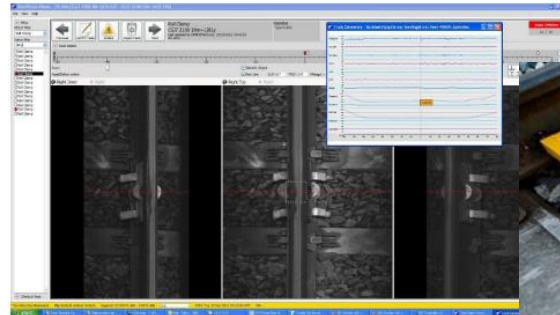
# Technology and automation



Eddy Current technology in use



Plain Line Pattern Recognition camera



Remote condition monitoring, without the need for track access



# How did this change happen?

NR wanted to do better, there was a desire to improve

- Various programmes and initiatives aiming to improve supervisory competence, streamline written safe systems of work, provide better warning technology

Progress was hampered;

- Complex line blockage & possessions process
- Line blockage requests often refused – lack of joined-up thinking
- RZ working doesn't need to be planned, so it's easier
- Failure of technological solutions, e.g. LEWiS

Entrenched industry attitudes

- Inertia & resistance to change
- Focus on individual competence & behaviours

# ORR's actions

National inspections across all routes in 2018–19

- Aimed to assess to what extent NR complied with its own standard

Concluded that safety depended on people doing the right thing at the right time in the right way

- NR was too far down the hierarchy of risk control
- It needed to assess track access requirements and risks
- It needed to try to do more work in possessions and line blockages
- It needed more protection & warning technology
- It needed to do all this in a way that didn't compromise passenger or train safety

NR needed to devise proportionate, risk-based systems of work that demonstrably took account of the hierarchy of risk control.

# Enforcement action

## Shared findings with NR

- Discussed at working and senior level meetings
- Did not get the assurance we needed that change would happen.
  - Our view considerably affected by perceived failure of previous initiatives

## Served 2 improvement notices

- At NR's request we agreed a set of compliance criteria
  - Proved to be a really useful way of tracking and assessing improvements.
  - Gave NR the certainty they needed to commit time, money & effort to tackling an enormous task
  - Once agreed, NR launched an ambitious programme – the 'Safety Task Force'

# Monitoring progress

Monthly national-level meetings to discuss progress and problems

- Meant no surprises
- NR shared problems, successes, strategies
- ORR shared concerns and issues reported by regional teams
  - Did much to nail myths and misconceptions
  - Regional teams aware of the national perspective

Regional teams had their own route/regional meetings, with the same purpose but locally-focused

- Provided ORR with awareness of local circumstances, problems, successes & failures

But all this in itself was not enough...

# Compliance inspections

We shared our compliance assessment strategy with Network Rail

- National-level compliance assessment meetings counting down to the compliance date at 12, 9, 6, 3 & 0 month intervals
  - Opportunity for NR to demonstrate compliance progress and note/act on ORR concerns

Full visibility of ORR's inspection timetable:

- All routes received full inspections, generally within 9 months of the compliance date. These targeted multiple maintenance units and were resource-intensive.
  - All routes received full reports detailing our view of their compliance trajectory

Follow-up inspections much closer to the compliance date

- These gave us the final view
- Followed-up progress on matters of concern identified in earlier visits



# Thoughts

There was always the willingness in Network Rail to do better.

Our action worked as a catalyst, forcing change, and forcing the pace of change. BUT

Network Rail decided to go even further

- Committed to effectively ban unassisted lookout working
- Devoted huge resources to delivering huge change
- Showed real leadership

The co-operative approach made a hugely complex process much simpler.

- We had a shared benchmark
- We were both transparent with successes, failures and concerns
- Shared 'countdown' to compliance assessment
- Network Rail wanted improvement

# Rail Transformation Programme – sector safety

Simon French, DfT Rail Safety  
Consultant (former Chief Inspector of  
RAIB)



# Williams-Shapps Plan for Rail

## References to safety

“Current safety and security roles will remain in place across the rail network”

“Great British Railways will be the single guiding mind and leader that the railways currently lack”

“Great British Railways will be responsible, and held accountable, for meeting the punctuality, quality, efficiency, safety and other goals set out in this white paper and by Ministers”

“ORR’s existing role as safety regulator will continue across Great Britain and it will further strengthen how it joins up across its safety and efficiency oversight functions”

“A consultation will be undertaken to ensure that safety roles, rules and standards are appropriate for the future”



# Williams-Shapps Plan for Rail

## Key changes with relevance to safety

1. GBR will design train services and award Passenger Service Contracts
2. GBR will decide rolling stock strategy and plan its deployment
3. GBR will own and manage all stations (but may contract with PSCs to staff stations)
4. GBR will own and manage depots (but may contract maintenance to Passenger Service Operators)
5. Passenger Service Operators will deliver services to meet a specification set by GBR
6. GBR will be responsible for the long-term planning of the whole-system
7. ORR will continue as safety regulator for GBR and railway undertakings (ROGs will continue to apply)

# So is there an issue to be addressed?

The Rail Transformation Programme has identified

- the potential for reduced safety as an unintended consequence of organisational change; and
- that organisational change could also present opportunities to improve safety
- the need for RTP and GBRTT to engage with ORR during the development and delivery phases of the programme (ie in the period before ROGS applies)

# Previous accidents linked to the implementation of high level organisational changes

Examples include:

- Ladbroke Grove 1999

*“evidence that fragmentation of the industry has engendered defensive or insular attitudes which hinder the identification of the underlying causes of accidents and the learning of lessons from them”*

[Quote from Lord Cullen’s Part 2 report]

- Hatfield 2000 and Potters Bar 2002
- Hawker Siddeley Nimrod XV230 over Afghanistan

*“The MOD suffered a sustained period of deep organisational trauma between 1998 and 2006, beginning with the 1998 Strategic Defence Review. Financial pressures and cuts drove a cascade of multifarious organisational changes, which led to a dilution of the airworthiness regime and culture within the MOD, and **distraction** from safety and airworthiness issues as the top priority.”*

[Quote from Hadden-Cave QC report into the Nimrod accident]

# RTP Safety Assurance

## Establishing a safety working group (SWG)

The safety working group has developed an approach to the safety assurance of RTP which was endorsed by the RTP's Transformation Board on 25th August.

This puts in place two key elements:

- Establishing the Safety Working Group (SWG) with membership from DfT, ORR, GBRTT
- The invitation to ORR to provide advice to the RTP SRO (in the period prior to it carrying out its formal role as the safety regulator for the new legal entities)

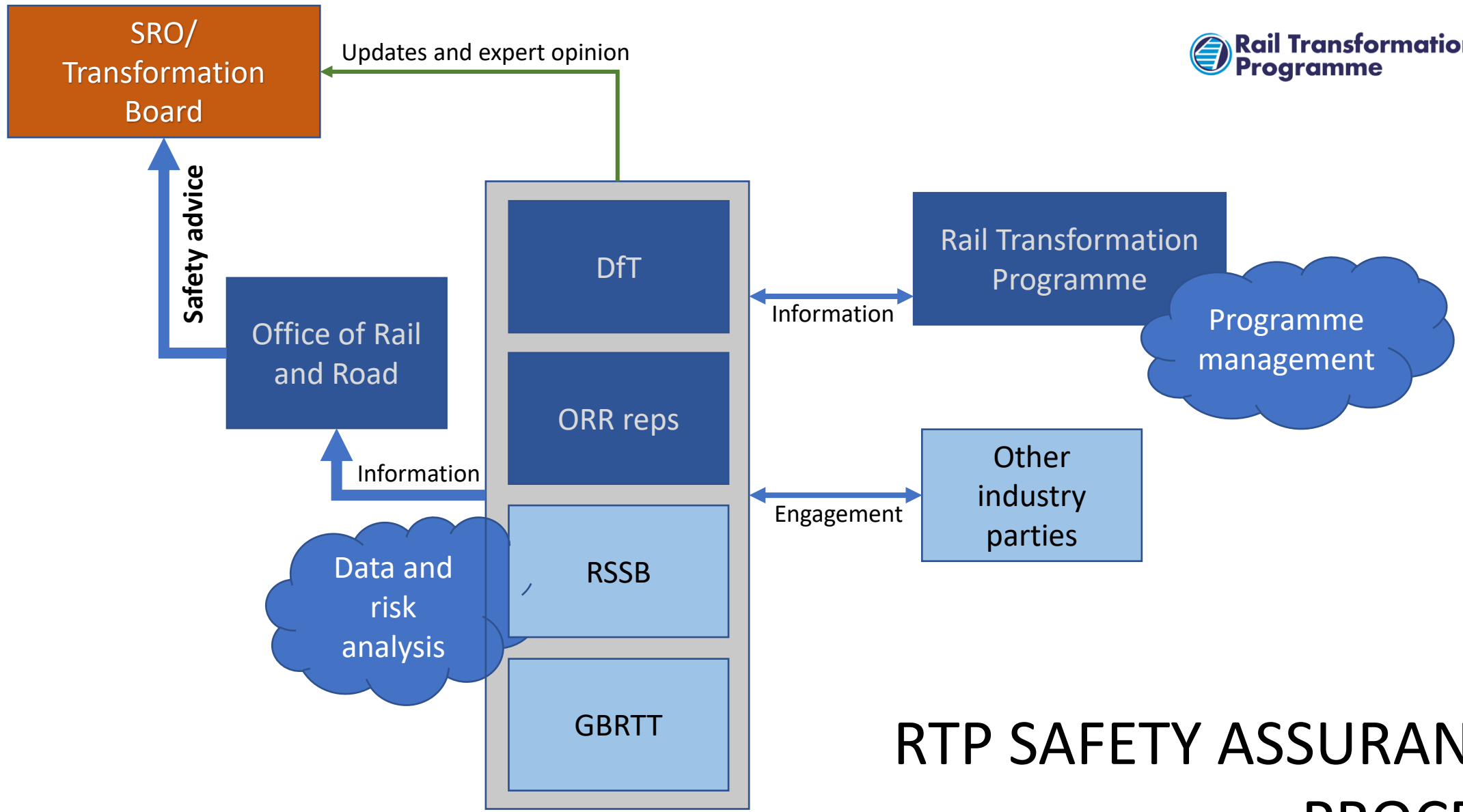
The SWG is accountable to the RTP's Senior Responsible Officer and the Transformation Board

### **SWG will**

- focus on the RTP design and build activity, and aspects of GBRTT which may impact safety across the sector
- receive updates on progress from NR/GBR on progress with safety validation and the implementation of detailed design – to flag any issues to RTP

### **SWG will not**

- provide oversight of GBR and NR safety validation (which is covered by ORR's safety regulator role)



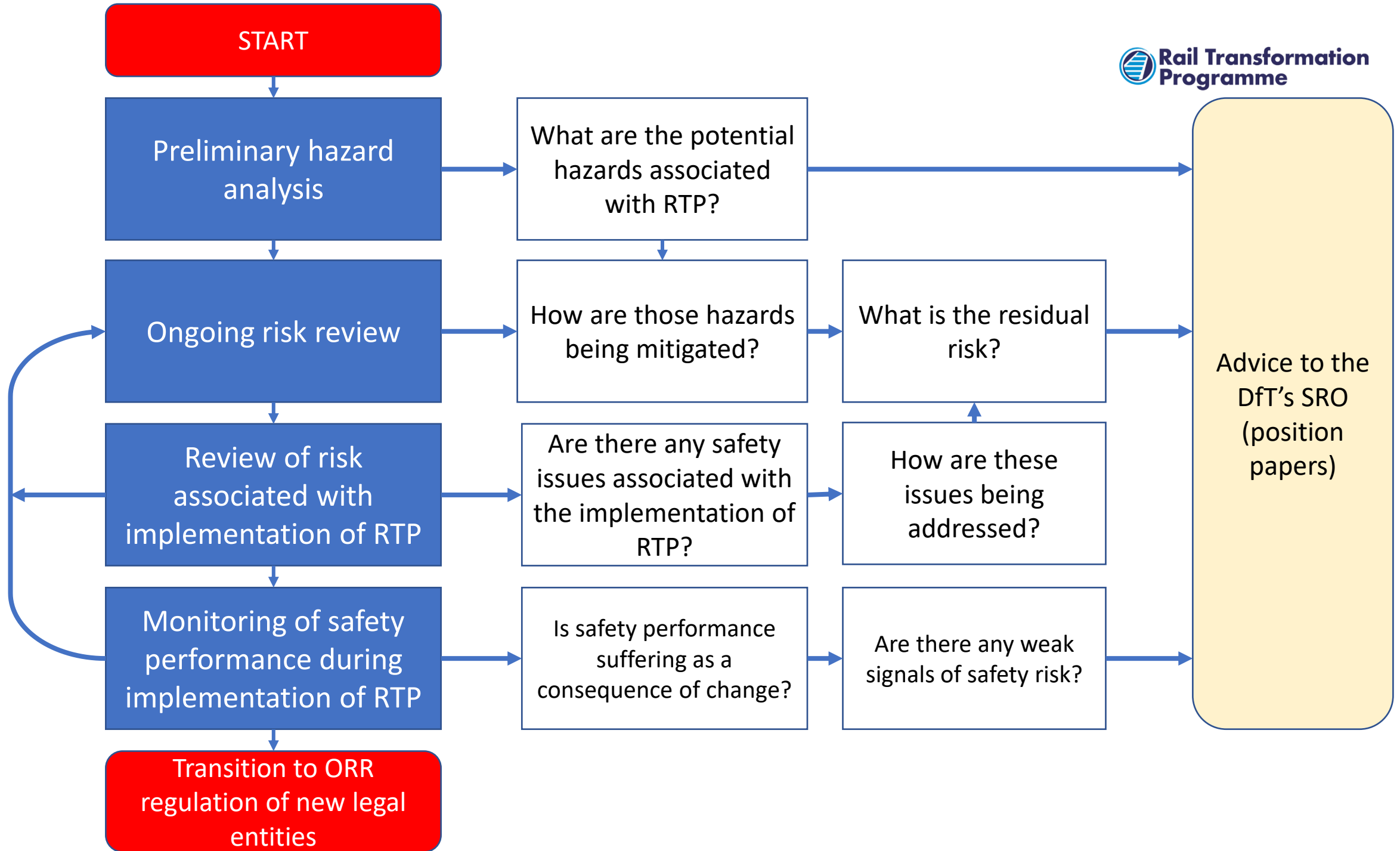
**RTP Safety Working Group (SWG)**

# RTP SAFETY ASSURANCE PROCESS

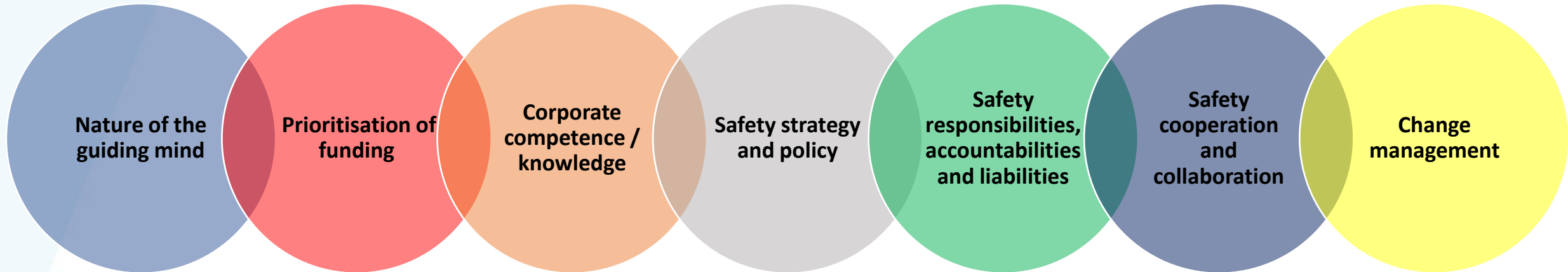


# Scope of the new safety working group

- Any additional or changed safety risk introduced by new industry structures, management systems, and amended contractual and legal responsibilities;
- Potential safety risk arising from structural and management system change during the implementation phase;
- Measured safety performance and emerging issues of concern linked to industry changes;
- Identification of reasonably practicable areas of opportunity to improve the sector's management of safety as part of the transformation; and
- Learning from previous accidents



# Emerging Safety themes



# Topics under consideration

## “Guiding mind”

- Responsibility and accountability for safety of train operations (who ‘owns’ the train operations risk)
- The awarding and management of Passenger Service Contracts, and incentivisation to improve safety
- Who needs assurance of safety, and how is this delivered?
- Who decides funding priorities; and how?
- How will the new approach to the planning and specification of rolling stock work in practice?

# Topics under consideration (2)

## “Architecture”

- Responsibilities and accountabilities (particularly at depots and stations)
- How ROGS will be applied under new regime?
- Setting of standards, and research and development

## “Leadership and culture”

- What will safety leadership look like in the transformed railway?
- How best to encourage the collaboration needed to understand and manage cross-sector risks
- How will devolved regions affect safety leadership and culture?
- Ensuring that the voice of train operators continues to be heard (nationally and in the regions)

# Topics under consideration (3)

## “Transition”

- Retention of a competent and motivated work force during a time of change
- Sector readiness for change
- Safety at interim stages of implementation (and base safety requirements at each stage)
- Distraction

# Questions?

Contact information:

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[Simon.French@dft.gov.uk](mailto:Simon.French@dft.gov.uk)

Vaibhav Puri (RSSB)  
[vaibhav.puri@rssb.co.uk](mailto:vaibhav.puri@rssb.co.uk)

## Railway Industry Health and Safety Advisory Committee Provisional Forward Programme (as of November 2022)

	Subject	Lead	Feb 2023	June 2023	Oct 2023
1.	UK Health and Safety Regulators' Network Subgroup on Innovation	Jen Ablitt, ORR	✓		
2.	Safety by design update	Ian Raxton, ORR	✓		
3.	ORR's annual health and safety report	Ian Prosser, ORR	✓		
4.	Pam Warren report: post publication responses	Sukhninder Mahi / Ian Prosser / Pam Warren	✓?(TBC)		
5.	Health and mental health risk management / including prevention (for both industry and passengers)	TBC		✓(TBC)	
6.	Good Practice in Regulation: Better Regulation Framework and NAO report on the principles of effective regulation	ORR		✓(TBC)	
7.	How the industry handles track plant	TBC		✓(TBC)	
8.	Sandilands: <ul style="list-style-type: none"> <li>• lessons learnt</li> <li>• tram policy updates</li> </ul> future activities	John Cartledge / ORR		✓(TBC)	

Standing items – Emerging and confirmed themes in ORR's annual health and safety report (Feb and June meetings), RAIB annual report (June), Outcomes of ORR risk profiling (October meeting)