



Railway Industry Health and Safety Advisory Committee (RIHSAC)

Minutes of the 106th RIHSAC Meeting
Tuesday 11 July 2017

Room 2, One Kemble Street, London

Present:

Johnny Schute	Chair, HM Deputy Chief Inspector of Railways, ORR
Phil Barrett	Rail Delivery Group
George Bearfield	RSSB
John Cartledge	London TravelWatch / Transport Focus
Lynn Chamberlain-Clark	Network Rail
John Collins	Angel Trains
Jason Connolly	Transport Scotland
Ian Gaskin	Transport for London
Bill Hillier	Heritage Railway Association
Garry McKenna	Department for Infrastructure, Northern Ireland
Mark Norton	Department for Transport
Susan Murray	Unite
Alastair Young	Transport Scotland
Dilip Sinha	ORR, RIHSAC secretary
Ben Shirley	ORR, Health and Safety Risk Specialist) item three
Patrick Talbot	ORR, HM Principal Inspector of Railways) item four
Chris Davies	ORR, HM Principal Inspector of Railways) item five
Tracy Phillips	ORR, Safety Regulation Manager) item six

Item one: Welcome, introductions and apologies for absence

1. Johnny Schute welcomed everyone to the meeting. He explained that Justin McCracken had been caught up in disruption on the West Coast Main Line, and had sent his apologies that he was unable to reach London.

2. Apologies for absence were recorded from Ian Prosser of ORR; Steve Coe of TSSA, Emma Head of HS2, Stephen Chamberlain of the Welsh Government, David Porter of IOSH and Jill Collis of TfL.
3. Johnny welcomed Phil Barrett of RDG, Ian Gaskin of TfL and Jason Connell, who was accompanying Alastair Young.
4. RIHSAC reviewed and accepted the minutes and actions arising from the April 2017 meeting. Reporting on an action placed on him, John Cartledge said that he had checked whether any further research had been done on public attitudes to passenger safety since he last gave a presentation to the committee on the subject in 2011.

Item two: Chief Inspector's update

5. In Ian Prosser's absence, Johnny Schute reported on developments since the last meeting. He said that he would not dwell on the Annual Health and Safety Report, due on 19 July, as there would be a separate presentation on it.
6. Johnny first turned to issues concerning the Periodic Review, PR18. He said that the High Level Output Specification and Statement of Funds Available were the next items in the process, and are due to be published on 20 July. The ORR safety teams are working in concert with economic teams as usual, and ORR will focus on Network Rail's new route based structure in assessing its performance. It is currently working up an appropriate internal team structure to do this.
7. NR will be using route scorecards to demonstrate how it is performing, and ORR will be looking at these as it monitors the company. The regulator is also looking carefully at the company's systems operator function, to check there are no safety ramifications from failures in its work on timetabling or other issues.
8. ORR has updated its RM3 management maturity model to reflect new partnership working with the Health and Safety Laboratory. It would like to see the model spread beyond railways.
9. Johnny went on to explain other work ORR has been doing in the policy area, such as on the classes 700 and 345 rolling stock authorisations. It will be looking carefully at the upcoming Waterloo Station blockade, due in August.
10. ORR is expecting RAIB's report on the Croydon accident to be published by November and is still working on the incident as well. It is also continuing to bring prosecutions, but looking carefully at potential charges to see that they are appropriate. He also explained that ORR has run a recruitment campaign to recruit trainee HM Inspectors, which has gone well.
11. Johnny concluded his update by noting that ORR will no longer be providing an accreditation function in respect of entities in charge of maintenance. The role will be taken over by the UK Accreditation Service, which will oversee the work of a range of authorized commercial companies who will do the certification.

12. In discussion, Johnny said that ORR is setting up its new route monitoring structure within RSD, and will see how it works. He agreed with Bill Hillier that consistency across routes was important, noting HRA has had issues with different attitudes from different routes.

Item three: Messages from the Annual Health and Safety Report

13. Ben Shirley, RSD Health and Safety Risk Specialist, opened this presentation, which aimed to give the committee a preview of the forthcoming ORR Annual Health and Safety Report. Ben said it will be published on 19 July, and ORR has been checking various issues with RSSB on data quality etc.
14. The year has been dominated by the tragedy at Croydon, and the industry needs to remain vigilant in the management of health and safety. ORR will work collaboratively with RAIB and BTP during our investigations, and it is important that everyone applies relevant lessons learnt once RAIB publishes its report. The industry must maintain its vigilance to ensure good safety.
15. Mainline performance remains steady and passenger safety performance is good. The year saw the lowest normalised passenger and public harm at stations/on train, and saw the second lowest number of potentially high risk train accidents. However, failures of vulnerable assets in 2016-17 could have had greater consequences (i.e. Watford Tunnel and Barrow on Soar).
16. On the London Underground, workforce safety remains around the FWI 6.25 mark, and passenger harm remains at a historically very low level. Cultural challenges remain in other industry sectors: eg on road driving. Progress is being made, but ORR would like to see it speed up.
17. Suicide prevention efforts are continuing to be effective, Meanwhile, London Underground saw the successful introduction of Night Tube, and passenger injuries showed an 11% increase (minor slips, trips etc). ORR still has some concerns around Fit-for-the-future Stations changes.
18. ORR has chosen four key areas it wants to see the industry focus on: managing change, safety by design, managing safe and sustainable assets, and culture / occupational health.
19. On change, there are issues around new franchises, infrastructure and rolling stock being rolled out properly. ORR continues to want safety to be built in to projects at the design stage and is collaborating with HSE on London Underground projects.
20. Maintenance is being stretched, and it's important to ensure worker interventions are done using the proper process. Deferrals are building up, and many civils assets are approaching end-of-life. There's also still a good way to go in improving occupational health.
21. Closing, Ben said that ORR will continue to work collaboratively across the sector and all the parts (i.e. Trade Unions), to be seen as proportionate and effective. It

will continue updates of Strategic Risk Priorities and to provide expertise and guidance in response to requests from around the world.

22. In the ensuing discussion, Ben promised to respond to Susan Murray offline to a question about what areas ORR wants occupational health work to focus on.

Action: Ben Shirley

23. Answering a question, Ben said that his was a very high level presentation, and the annual report would contain sections on the passenger / train interface, light rail and heritage railways. Asked about franchises, he said that new franchises offered the chance to introduce new ways of working including driver controlled operation.

24. RSSB's representative that the annual safety performance report, due to be published next day, contained similar messages to ORR's.

Item four – Workplan priority: management of freight rolling stock

25. Patrick Talbot, HM Principal Inspector of Railways for freight, opened this presentation. He explained that it followed on from RIHSAC's request to scrutinise this issue after a presentation on RSD workplan priorities for the year. The presentation would cover the issues and causes, along with explaining with ORR and industry are doing.
26. Freight train derailments can cause serious harm, delay and cost. Aggregate and container trains seem to be most affected.
27. The causes of derailments are complex. The most recent derailments have been caused by an interconnected set of factors which led to the wheel losing contact with the rail. These factors involve rolling stock condition, vehicle loading and track condition.
28. Factors affecting rolling stock condition include maintenance frequency, outsourcing of work, varying standards of maintenance facilities and the system for defects management. Freight trains tend to be properly maintained and inspected less frequently than passenger trains.
29. Loading methods for freight wagons can affect their stability. Sometimes shipping containers can be overweight or unbalanced or incorrectly loaded onto flat wagons. Loading is often undertaken by third parties, and the distribution of the load may move during its journey on to rail from other transport methods.
30. Poor infrastructure condition can be a factor too. Track twist faults (where one rail rises at a greater rate than the other) are a common cause of freight derailments, with one rail rising faster than the other.
31. The industry has set up a 'Cross Industry Freight Derailment Working Group' (XIFDWG) to look at the problem. It primarily focuses on container traffic, but also

looks at bulk hopper wagons. ORR is working closely with the group, and also has a proactive inspection programme for both track and freight vehicles.

32. On the industry side, FOCs and NR are working with ORR on relevant RAIB recommendations, and NR and ORR are discussing track geometry issues.
33. Patrick gave more details of the XIFDWG. He said it had members from NR, FOCs, and wagon owners, and was led by RSSB. Its four key activities are: reviewing the risk assessment on freight derailment consequences; understanding how common unevenly loaded containers are; looking at whether the GOTCHA system can identify unevenly loaded wagons; and simulating wagon sensitivity to offset loads.
34. ORR's track inspection work, meanwhile, is looking at NR management of track geometry, risk based maintenance, competence of track maintenance engineers and asset knowledge regarding switches / crossings.
35. The ORR FOC inspections will focus this year on rolling stock maintenance, including contractor management. Next year the Freight team intends to focus on management of loading. In addition ORR is currently responsible for the certification / surveillance of entities in charge of maintenance.
- 36.

37. Discussion followed:

- RSSB noted that it is working with industry to understand the problem as a system issue. Responsibility lies with dutyholders, but it may come down to reasonable practicality: how much should we spend to reduce the risk?
- Susan Murray noted that lorry drivers were familiar with similar bad loading issues. Patrick agreed and said that ORR and the working group do have contacts with the road freight industry.
- Members asked what lay behind the increased risk of freight derailments. Did it use different infrastructure? Was it maintained worse than passenger trains? Perhaps the typically greater length of freight trains could be a factor in the increased risk shown by the stats? Patrick agreed to come back to RIHSAC on these issues in a later presentation. He noted that the statistics only refer to derailments on the mainline, not in freight sidings etc.

Action: Patrick Talbot to update RIHSAC on developments at a future date

Item five – Workplan priority: management of civils

38. Chris Davies, HM Principal Inspector of Railways, opened this presentation. He explained that he leads the civils project team and though the presentation would focus on Network Rail the issues involved are equally relevant to other organisations.
39. There have been a number of recent failures involving civils assets, and it is fortunate that major incidents, involving fatalities, have not resulted. A wide range

of assets-can be involved, including bridges, viaducts, retaining walls, embankments and cuttings.

40. Buildings are another area of concern and have been subject to increased attention recently. Redundant assets can be left next to the railway line to rust, and ancillary structures like signals etc may fall on the line or become compromised for various reasons. Poor management of drainage assets were also associated with at least one recent major incident.
41. There are some common factors behind various recent serious incidents. They include lack of asset knowledge, deficiencies in examination regimes, poor management of defects, inadequate drainage and more. In the case of the collapse of a bridge, Network Rail didn't have a proper understanding of the structure which had longstanding defects. The most significant incident was —at Watford tunnel, about which Network Rail had poor asset knowledge until recently.
42. Network Rail faces a range of challenges, therefore. Its ageing assets are not always well understood and may have hidden defects. Budgetary constraints make it even more difficult to put things right than in less stringent times. And changing weather patterns – including short flash bursts of rain – can have an effect in a local area.
43. ORR has some strategic objectives that are designed to tackle these issues. It wants to work with industry to better understand asset condition and improve asset information. It's also looking for innovative solutions to reduce reliance on human inspection.
44. Chris ended by explaining his team's priorities for 2017-18. They will concentrate on effective examination and remediation regimes, high risk drainage assets, hidden elements in buildings or other assets, and management of third party risk.
45. Responding to questions, Chris said that ORR handled asbestos issues via its occupational health programme rather than his team's work. He referred a question about platforms to the Head of Operational Property at Network Rail, and explained that others in ORR are now looking at vegetation management issues.

Item six – Strategic environment – PESTLE analysis

46. Tracy Phillips opened this presentation. She explained that ORR wanted to ask RIHSAC to provide some external scrutiny and challenge of ORR's Railway Safety Directorate's analysis of the risks facing it, both at the meeting and in writing later.
47. The PESTLE analysis was done as part of wider work to put a strategic plan in place for RSD for CP6 and beyond. ORR believed it is important to understand the context and analyse the external environment that we are operating in
48. Tracy noted that the analysis was undertaken by Ian Prosser's senior management team and repeated separately by other RSD managers – similar themes had emerged from both groups. However, as yet there has been no external input or scrutiny of the work.

49. Each member of the committee had a copy of a document setting out the issues raised in the analysis. Tracy invited comments on the questions below, and other points members wanted to raise:

- Has ORR picked up all the factors? Is anything missing?
- Do you agree/disagree with any?
- Which are the more important?
- Do you think they should be subject to any further scrutiny or inputs?

50. In the ensuing discussions, members asked for clarity on what would be done with their input. Johnny Schute replied that ORR believed it did not do enough horizon scanning at the moment, and was too reactive. The results of this exercise would help shape the future safety work programme.

51. Tracy agreed that ORR will give a detailed presentation to RIHSAC once responses have been analysed and ORR has made decisions. She accepted members' points that some things may appear to have been omitted, and some may even appear to contradict others. At the moment, the exercise had been to gather views, not make judgments on them.

52. Members agreed to respond to Tracy Phillips (email: tracy.phillips@orr.gsi.gov.uk) by the end of August.

Action: Members to respond

Action: Tracy Phillips to arrange follow-up presentation

Item seven – Meeting review

53. Johnny Schute asked if members had been satisfied with the meeting and its agenda. They were.

54. Members considered options for future agenda items. They agreed to ask Patrick Talbot to provide an update as the freight derailment work progressed and to hear about changes ORR proposes to make to industry health and safety guidance. They were also keen to keep up to date with changes within RSD's safety teams as changes occur, whether related to Network Rail, Brexit, or other issues.

55. Members also agreed to ask for an update on level crossing policy if the parliamentary time situation changed, and on ORR's work with other regulators to establish common themes.

Action: Secretariat

56. Johnny Schute asked members to be aware they may receive an email from RSD's Paul Fray about a low-level review of train driver licensing, which ORR has to carry out every five years.

57. Closing the meeting, Johnny noted that the Secretary, Dilip Sinha, would be leaving ORR shortly and this was his final meeting.

Next Meeting

Tuesday 3 October 2017, from 1330-1600 at One Kemble Street.

Dilip Sinha

RIHSAC Secretary

July 2017