



121st Railway Industry Health and Safety Advisory Committee (RIHSAC)

24 02 2022

25 Cabot Square, London/Microsoft Teams Meeting

Attendees

Name	Organisation
Justin McCracken	ORR
Ian Prosser	ORR
Tim Gill	ORR
Max Buffey	ORR
Jen Ablitt	ORR
Anna O'Connor	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
Mark Norton	DfT
David Clarke	Railway Industry Association

Vincent Borg	ASLEF
Geoff Spencer	Chair of National Freight Safety Group Steering Group
Alastair Young	Transport Scotland
Karl King	RIAGB
Joe Finlay	RAIB
Daniel Mann	RDG
Arthur Leathley	London Travel Watch
Pam Warren	
Richard James	TFL
Vaibhav Puri	RSSB
Chris Knowles	RSSB
Graham Richards	GBRTT
Charles Robarts	GBRTT

Agenda

Time	Presenter	Topic
14:00 to 14:05	Justin McCracken	Welcome, introductions and apologies for absence
14:05 to 14:10	Tim Gill	Review of actions and agreeing the minutes from the 120 th RIHSAC meeting
14:10 to 14:15	Justin McCracken	Health and Safety Regulation Committee (HSRC) update
14:15 to 14:20	Ian Prosser	Chief Inspector (CI) update
14:20 to 15:15	Charles Robarts,	Item on rail reform preparations

	Graham Richards, Ali Chegini	
15:15 to 15:25	n/a	Break
15:25 to 15:55	Garry Stimpson	Item on ORR's risks ranking exercise
15:55 to 16:20	Sukhninder Mahi and Tracy Phillips	Item on Light Rail Safety and Standards Board
16:20 to 16:25	Tim Gill	Forward planning
16:25 to 16:30	Justin McCracken	Meeting review and next meeting

Welcome, introductions, apologies for absence, and actions from 9 June 2021 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.

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

2. Discussions were had regarding the LRSSB and safety regulations in the context of rail reform, both of which we have items on later in the meeting.

3. HSRC concluded that there were three 'buckets' of issues, the first being keeping an eye on known health and safety issues in the industry. The second, looking out for new and emerging issues from the rail reform agenda. Finally, the third related to the opportunities which might arise from rail reform.

Chief Inspector (CI) update (Ian Prosser)

4. ORR welcomed DFT's imminent publication of consultation documents on new private crossings signs and barriers regulations, as this has been a long-awaited publication.
 5. ORR will be conducting the post implementation review (PIR) of the Train Driving Licences and Certificates Regulations 2010 on behalf of the Secretary of State, which will include working with DFT to arrange the public consultation phase. ORR will return to RIHSAC in the future with a substantive item on the review.
 6. ORR has an open consultation on 'Goal Setting Principles for Railway Health and Safety: Draft Appendix for operation of passenger trains in Unattended Train Operation configuration'. We are seeking views on the proposal, with the closing date for comment on 31st March 2022. Details can be found on ORR's consultation page of the website (<https://www.orr.gov.uk/search-consultations>)
 7. Ian provided an update on operational matters, weather resilience, earthworks and drainage. In respect of Carmont, ORR expects a RAIB report to be published by the end of March 2022, with ORR making their report by May. Investigations in relation to the Salisbury incident is ongoing. A paper on weather resilience, earthworks and drainage management led by Anna O'Connor was taken to the ORR Board and this will be a useful element for a RIHSAC agenda item at a future meeting.
 8. ORR published findings into a review of administration fees for processing ticket refunds. A main finding that whilst there is a £10 cap on fees, the average costs were found to be below £5. There is ongoing work with ORR, DFT and RDG to make sure these findings are considered for any future cap setting.
 9. In relation to an upcoming item on GBRTT, ORR will be seconding a senior inspector, Ian Skinner, to GBRTT to help and bring health and safety expertise into that team.
- Allan Spence commented that we have seen good progress and development in public road crossings. In the last few weeks DFT have agreed that for public road crossings, Network Rail will become the traffic authority between the stop lights. This enables Network Rail to use signage they would not have previously been able to deploy.

- Arthur Leathley asked what the next stages are regarding the £10 cap on administration fees for ticket refunds. Ian Prosser responded that it is with DFT and RDG to see where we go from this point (decision on the cap is not for ORR).

Items on rail reform preparations (Charles Robarts, Graham Richards, Ali Chegini, Chris Knowles, Vaibhav Puri)

10. The first presentation was Chris Robarts and Graham Richards on whole industry arrangements for managing the transition to Great British Railways (GBR).

- David Porter asked a question on how the health and safety aspects are being included into the larger structure to avoid building in conflicts that require those higher up to resolve, which could later become very difficult to deal with. And also whether social sustainability is included. Chris and Graham both responded that these are important aspects, with no answers as of yet, but they are being worked on.

- David Davies asked who the single point of responsibility is. Graham Richards responded that health and safety is a responsibility shared across the whole organisation as it affects everything, but Andrew Haines as CEO has ultimate responsibility.

- Arthur Leathley asks how in transition aspects of complexity will be balanced against the goal of simplifying the railway. Charles Robarts replied that they are in early stages of that thinking but will expect that goal to continue after the first day of GBR. It is a balance of achievable steps with suitable speed and getting that right. He agreed that there will be complexity. Currently, work is in the design phase of the transition.

- Jen Ablitt asked to clarify, if a stage gate isn't met, is Andrew Haines the one with the full responsibility in his role to determine that the transition is not yet ready. Charles Robarts clarified that Andrew Haines would be one of the people to make that decision. However DFT own the process and the HM Treasury also have an input. So, there are several checks and balances. Allan Spence asked for clarification as there had been different approaches suggested – i.e either Andrew Haines making the decisions or it being a decision by committee? Charles Robarts commented that on a broader aspect it would be more of a committee decision.

- Justin made the point of the importance of people in management and other positions of safety have a really clear understanding of their responsibilities, and the correct training and preparation going into the future.

11. The second presentation was given by Ali Chegini, Chris Knowles and Vaibhav Puri focussing on railway industry preparation.

- Justin asked if RSSB has a clear idea on what the KPIs will be for this process. Ali Chegini responded that RSSB has the tools available, such as the mental wellbeing survey, which are known to work and provide good information. The idea is to provide a baseline to monitor inflections, which is what they are currently working on.
- Allan Spence commented that can we learn from history, and our history shows that we are good as an industry at being reactive. However, we are not good at listening for weak signals. A second point is that whilst the overall health and safety data may be positive, it can obscure pockets of concern that may be missed. Vaibhav agreed with this assessment. Ian Prosser commented that inspection work is going to be done in this area, to make sure frontline assurance in Network Rail is strengthened.
- David Porter asked what system of arrangements capture the conflict in executive incentives and priorities that result in irreconcilable conflicts with safety further down the chain? Vaibhav responded that we would have to look at relationships between entities that are making safety decisions.
- Justin agreed with Allan's point on weak signals, and they shouldn't be missed, and also that we need to learn from history.

Item on ORR's risks ranking exercise (Garry Stimpson)

12. Garry Stimpson gave a presentation on the outcome of its recent risk ranking exercise. Followed by discussion.

- Allan Spence commented that he was surprised to see some of the risks on the mainline in there, such as crowding on trains which was listed as deteriorating. Garry responded that although it wasn't high risk, ORR wasn't convinced that the industry was getting better at dealing with the issue. Very reliant on the RSSB analysis.
- Allan was also surprised at drainage not being present at all. Anna O'Connor responded that it is very heavily based on the RSSB precursor model, and as such drainage would not come in that list, these would come out in the workplan. This is the beginning of ORR starting targeted inspection work.

Item on Light Rail Safety and Standards Board (Sukhninder Mahi, Tracy Phillips)

13. Sukhninder presented key findings from ORR's review of the LRSSB. Followed by discussion.

- Vincent Borg commented that ASLEF have replied to the review but would like to bring up the point that they have tried to engage with LRSSB on several occasions as a stakeholder. There were initial communications in 2019, and they pursued the matter again in 2020, but have heard nothing since. Mark Ashmore, as the LRSSB representative volunteered to bring Vincent's point to LRSSB and open a dialogue. Tracy Phillips also commented that in the report, recommendation 4 is about LRSSBs collaboration with wider industry stakeholders.

Forward planning (Tim Gill)

14. Tim presented the future agenda items list and asked for any further suggestions.

- Allan made one request for an item on track workers, as it is very topical

- David Porter noted that the item on principles of effective regulation needed to be on the list. Tim confirmed that it will be added.

15. Tim noted that the list would be circulated with the minutes and members are welcome to suggest future items in the coming weeks.

Meeting review (Justin McCracken)

16. Justin apologised for the technical issues experienced during the meeting, and that hybrid meetings based in this room usually go more smoothly. ORR will endeavour to fix the issues with the sound by the next meeting in June. The next meeting will again be a hybrid meeting - but Justin hoped that more people will feel able to come in person.

Next Meeting: June 2022

END

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