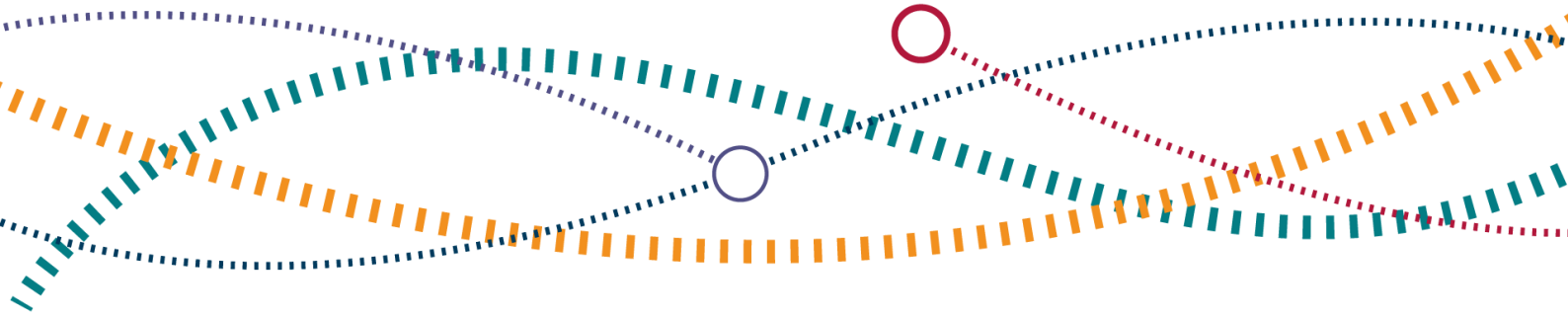
OFFICE OF RAIL AND ROAD

Train Driving Licences and Certificates Regulations 2010

Guidance for Train Operators

30 June 2026



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Background

The Train Driving Licences and Certificates Regulations 2010 (as amended) (TDLCR) give duties to different organisations and people. We have produced a series of separate guides to explain the duties and responsibilities arising from the TDLCR and how you can take appropriate action.

There are separate guides available on our website here:

- The medical and occupational psychological fitness requirements for train drivers and the recognition process for doctors and psychologists;
- Train driver training and examination requirements and recognition process;
- Suspending or withdrawing a train driving licence;
- For train drivers appealing against decisions made by their employer about the train driving certificate issued to them;

We have produced this guidance document to assist you in meeting the requirements of the Train Driving Licences and Certificates Regulations 2010 (TDLCR). However, we do not seek to cover every aspect of the legislation. It remains your responsibility to ensure that you are compliant with the relevant legislation. Following our exit from the EU please be aware that TDLCR and associated legislation has been amended by the following regulations:

- the Train Driving Licences and Certificates (Amendment) (EU Exit) Regulations 2019, (S.I. 2019/677) as amended by the Railways (Miscellaneous Amendments, Revocations and Transitional Provisions) (EU Exit) Regulations 2020. (S.I. 2019/345) and the Railways (Miscellaneous Amendments, Revocations and Transitional Provisions) (EU Exit) Regulations 2020 (S.I. 2020/786).

The guidance does not introduce new duties or requirements for train operators but it sets out what we consider to be good practice. Please note this guidance is not intended for use in Northern Ireland.

We periodically update these guides, and you can download the latest version of any of these guides from our website here

1. Introduction

Summary

This guide is for railway undertakings or train operators who employ train drivers on the mainline railway and explains:

- Who the TDLCR 2010 (as amended) apply to;
- What the train driving licence and certificate are;
- The responsibilities of the railway undertaking or infrastructure manager.

Does TDLCR apply to the train drivers that I employ?

1.1 TDLCR applies to railway undertakings and train operators who are required to hold a safety certificate or a safety authorisation under the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended) (ROGS). If this is the case, train operators must make sure that the drivers they employ to drive on the mainline railway meet the requirements of TDLCR.

1.2 We refer to railway undertakings and train operators who run trains as ‘train operators’ throughout this guide, other than where the requirement is on a specific person.

1.3 TDLCR do not apply to train operators with drivers employed to work:

- within engineering possessions;
- on metros (for example, London Underground), tramways or other light rail systems;
- on a railway we determine is excluded from the definition of "mainline railway" in accordance with regulation 2A of ROGS, in some circumstances including heritage operations taking place partly on the mainline railway; or
- in depot operations (see 1.4 below).

1.4 TDLCR not apply to activities that occur within a depot. This includes activities that occur outside the boundary of the depot but which form part of the operations of that depot. These operations must have Network Rail's agreement to enter its infrastructure and must be under secure protection. Such operations do not require licences for shunters or depot drivers who:

- drive trains for the short distance to the first signal or junction head; or
- drive an empty passenger train to deliver it to or return it from a railway station which must not be more than 10 miles from the depot.

In either case the maximum speed must not exceed 50 mph where the maximum permitted line speed is higher.

1.5 The depot driver or shunter is still expected to meet the appropriate competency and fitness standards to carry out driving operations within the depot and the train operator is responsible for monitoring the depot driver's continued competence and fitness.

What are the train driving licence and certificate?

1.6 Under TDLCR, a train operator must not deploy a train driver unless the driver holds both a valid train driving licence and a valid train driving certificate. The certificate permits the holder to drive the type of rolling stock over the specific infrastructure they are competent on indicated on the certificate that they are being deployed on.

1.7 The train driving licence is issued to the driver by ORR and is the personal property of the driver until it expires or is suspended or withdrawn. A valid train driving licence remains valid even when the driver changes employer. A new employer of a driver should assure themselves that the driver's licence is valid as part of the pre-employment checks.

1.8 The new licence is issued by ORR following an application from the driver's employer on the ORR's online TDL Portal, which each operator has access to.

Guidance on how to apply for a licence – and other functions – using the Portal has been supplied by ORR to all operators. If operators have any issues with access or using the Portal, please contact us directly at TDL.Applications@orr.gov.uk

1.9 The certificate is issued to the train driver by the employing train operator once the driver has passed the required specific professional knowledge and competence examinations on the rolling stock and infrastructure they are expected to drive on. Although the train driver holds the certificate, the certificate is the property of the operator.

What are the responsibilities of a train operator?

1.10 If you are a train operator who employs drivers, you are responsible for:

- the selection and ongoing training, competence management and medical fitness of drivers you employ;
- carrying out periodic examinations on drivers to ensure they continue to meet the requirements of Regulations 8 & 9;
- maintaining a system for monitoring train drivers to check the requirements of the TDLCR are adhered to;
- issuing your drivers with a certificate that sets out the rolling stock they can drive, their infrastructure knowledge and their language skills and providing them with a certified copy of this document when they leave your employment;
- immediately taking any necessary action arising from your monitoring of drivers if you become aware of failures to comply with the regulations, which may include contacting ORR;
- using the ORR Portal to make applications for new licences, renewing licences, reissuing licences and advising ORR of changes to some driver data;
- publishing on your website the procedures for obtaining a certificate; and,

- maintaining a register of the *certificates* you issue to your drivers (this may be an electronic register) and keeping this up to date. The register should include details of any updating, renewal, amendment, expiry, suspension or withdrawal of any certificate. the register should also include any details relating to any loss, theft or destruction of any certificate.

What are my responsibilities as an infrastructure manager for train operators using my infrastructure?

1.11 Infrastructure managers are not responsible for the licences and certificates of train drivers employed by others who use their infrastructure. The TDLCR allows for specific situations where a train driver need not be authorised by a certificate to drive on specific infrastructure provided that the infrastructure manager in question is given prior notice. The situations covered by this are set out in TDLCR and include:

- the re-routing of a train (as specified by the infrastructure manager) where there has been disruption to services;
- exceptional one-off services which use a historical train;
- exceptional one-off freight services agreed with the infrastructure manager;
- the delivery or demonstration of a new train; and
- services to enable the training or examination of a driver.

1.12 Except for the situation in the first bullet point above, the infrastructure manager must be given prior notice by a railway undertaking and the driver must be accompanied and supervised by another train driver in the cab who holds a licence and a certificate for that specific infrastructure. “Prior notice” arrangements may be carried out on an ad hoc one- off basis or be dealt with under longer-term agreements between train operators and train operators.

Who issues and enforces train driving licences?

1.13 ORR is the competent authority for train driver licensing and certification in Great Britain.

1.14 ORR is responsible for:

- issuing licences to drivers and keeping a register of licences;
- inspecting and monitoring train operators' arrangements for training, competence management and fitness of drivers;
- inspecting and monitoring train operators' arrangements for making sure drivers are issued with, and carry the necessary documents and keep these up to date;
- considering suspending or withdrawing licences where the conditions for holding a licence are no longer being met (please see our separate Suspension & Withdrawal guidance here, which also includes details about how what information we will need and how to contact us);
- hearing appeals from train drivers who have had their certificate suspended or withdrawn by a train operator or the train operator has refused to grant, update or renew a certificate; and
- maintaining the registers of recognised doctors, psychologists, examination centres and training centres. Only those on the registers may carry out training or examination of train drivers or sign medical and occupational psychological fitness examinations for the purpose of the regulations (further details about these registers are available on our webpages here).

1.15 We believe that the best way of ensuring the fitness and competence of drivers is through a train operators' Safety Management System (SMS). As such, we will generally be content to issue licences based on evidence supplied by train operators in support of driving licence applications. We will ensure through our separate safety certification and inspection of SMS's that

train operators' arrangements for competence and fitness monitoring are adequate and, in this way, will assure ourselves that the information these employers provide is reliable and accurate.

1.16 We keep the information on drivers in a national register of licences that is secure and only driver's employers or the ORR are able to see this information. Drivers may also request to see the individual information we hold on them.

1.17 Our registers of recognised doctors, psychologists, examination centres and training centres are available to the public on the ORR website here.

2. Applying for a train driving licence

Summary

This chapter is about applying for a train driving licence and explains:

- How to apply for a train driving licence on behalf of drivers you employ;
- The conditions for obtaining a licence;
- Train driving licence requirements for trainee drivers;
- Who the licence belongs to;
- What the train driver must do with the licence when driving a train; and
- What happens when a licence is lost, stolen or due for renewal

How do I apply for a train driving licence on behalf of the train drivers that I employ?

2.1 In most cases applications will be made by the employing train operator on the driver's behalf. The application process for new, renewal, reissue or driver updates is through an online Portal.

2.2 All operators have been issued with a guide on how to use the Portal. ORR will issue updates to operators as required by email. If you are an operator who employs licenced train drivers, you can contact us at TDL.Applications@orr.gov.uk if you are experiencing any difficulties accessing or using the Portal.

2.3 When an application has been made through the Portal, we then check that all the necessary evidence is included. If there is an issue with the application, we will contact the train operator on the Portal using the 'Request for further Information' features. Once all the relevant information has been received, and we are satisfied that we can issue a licence, we will process the licence application. Once printed, the licence will be sent to the train operator by post

to then pass onto the train driver. We do not issue licences to each individual driver directly. All applications made on the Portal will be determined within one month of receiving all the necessary information.

Conditions for obtaining a train driving licence

2.4 There are conditions that a train driver must meet to obtain a licence:

- Be at least 18 years old
- Have completed at least nine years of education (primary and secondary);
- Successfully completed training equivalent to level 3 (this is currently achieved through the general professional competence examination, the content of this is prescribed in Schedule 3 of TDLCR)
    - Passed the required medical examination as defined in Schedule 1 of TDLCR;
    - Passed the occupational psychological fitness examination as defined in reg 8(2)e;
    - Passed the general professional competence examination as defined in reg 8(2)f.

2.5 We expect train operators to check that the age and education requirements have been met during the recruitment selection process. The majority of UK-born train drivers will meet the educational requirement because of the requirement to stay at school until the age of 16. If there is any doubt about whether the educational requirement has been met, train operators should carry out any necessary checks before completing the online application.

2.6 Train operators must ensure that the person carrying out any medical or occupational psychological fitness examinations is recognised by ORR to carry out such examinations and is listed on ORR's register of doctors or psychologists. Train operators must also ensure that the examination for general professional competence is carried out by a recognised examination centre which is listed on ORR's register of training and examination centres. Information on the medical examination and occupational psychological

fitness examinations and recognition process can be found in our separate guides here. Information on training and examination centres carrying out the general professional competence examination and recognition process can be found in our separate guide here.

2.7 The registers of recognised doctors, psychologists, and training and examination centres are available on our website here .

When can I apply for a train driving licence for a trainee driver?

2.8 Under TDLCR, trainee drivers are permitted to drive trains during their training as long as they are supervised in the cab by an authorised driver holding both a valid train driving licence and certificate for the routes and rolling stock for which they are supervising the trainee and the train operator has also notified the infrastructure manger that driver training is being carried out. An application for a licence should only be submitted once the train operator is satisfied that the trainee driver has met all the requirements in 2.4 above, the licence can only be issued for the driver when all required conditions are met.

2.9 The general professional competence, medical and occupational psychological fitness examinations required for a licence will be assessed through driver selection and training. This allows the train operator to apply for a licence and to continue the trainee driver's detailed rolling stock and infrastructure training that is necessary for a certificate to be issued, while waiting for the licence to arrive. This will help to avoid delays in trainees being able to commence train-driving duties.

Who does the licence belong to after it has been issued and must the driver carry it with them when on duty?

2.10 Once the train driver has received the licence, it remains the personal property of the train driver until either it expires, or it is suspended or

withdrawn by ORR. Suspended, or withdrawn licences must be returned to us.

2.11 Train drivers must carry their licence with them at all times when they are driving a train and the train operator must take reasonable steps to make sure that train drivers have their licences with them. If an ORR inspector asks a driver to show the licence and certificate while on driving duties and the driver is unable to do this because they have forgotten it, or it has been lost or stolen, the train operator should ensure that the driver is able to provide other evidence that they hold a licence and certificates. This may be through a copy of the licence or a telephone number for the inspector to call to check that the driver holds a valid licence.

Lost, stolen or destroyed licences

2.12 If a train driving licence is lost, stolen or destroyed, the train operator must make a prompt application on the Portal for a licence reissue. While the application is being processed, the train operator must take reasonable steps set out in paragraph 2.11 so that the driver can demonstrate to an ORR inspector that they hold a licence.

What happens to a licence when the driver changes train operator?

2.13 When a driver leaves one train operator and moves to another, the licence remains with the driver and remains valid (providing all the licence conditions are met). It does not require reissuing.

2.14 We strongly recommend that any train operator recruiting drivers should undertake robust pre-employment checks for both new applicants and existing licence holders. Train operators should contact ORR to check the validity of the licence and must also request the transfer of safety information form be completed regarding the driver from their previous employer. Since December 2024 the completion of the transfer of information form is now mandatory. More information on current GB rail industry requirements and

good practice concerning the transfer of safety information can be found in RIS- 3751-TOM published by RSSB. Train operators should also expect experienced train drivers to be in possession of a certified copy of their previous certificate from their previous train operator as required in TDLCR Regulation 16(4)(a).

How long are licences valid?

2.15 Licences are valid for 10 years from date of issue unless they are suspended or withdrawn by ORR.

2.16 Licences should be renewed before the licence expires providing that all requirements have been met. Section 8 of this guide has more information about renewing licences. Importantly, an application to renew a licence must be made on the Portal and should be made in good time so that the driver receives the new licence before the old one expires. ORR requires a minimum of one month between a completed renewal application being submitted on the Portal and the licence being processed.

3. Employing a train driver from outside of the UK

Summary

This chapter provides information for train operators on how to consider applications for train driving positions from drivers outside of the UK, including:

- Considering if a Free Trade Agreement (FTA) is in place; and,
- The general professional competency requirements for drivers outside of the UK.

Operator's responsibilities

3.1 Following the UK's exit from the European Union, the mutual acceptance of EU licences to drive on GB mainline infrastructure ceased, and all drivers on GB mainline must hold a licence issued by ORR. Therefore, applications from existing drivers to join a GB operator using a non-GB train driving licence (including EU licences) will need to be considered.

3.2 Operators should check to establish if there is a Free Trade Agreement (FTA) in place which has agreed recognition rights for recognised professionals. Currently, any job applications for a GB driving position received from licensed drivers from Iceland, Norway, Lichtenstein (FTA signed in 2021) and Switzerland (FTA signed in 2023) must be considered in accordance with the requirements of those FTAs (available here.) Further FTAs continue to be negotiated and will be established over time. ORR guidance will be updated to reflect these changes as applicable.

3.3 The general professional competence requirements in Schedule 3 of TDLCR can be satisfied either by an examination or an aptitude test pursuant to Regulation 9 of the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment)

Regulations 2023, where there is a significant difference between the applicant's professional knowledge and the objectives and requirements set out in Schedule 3. It is the responsibility of the operator to satisfy themselves that the requirements of Schedule 3 of TDLCR have been met and that there is not a substantial difference between the applicant's professional qualifications and the essential knowledge or skills required to practice train driving in the UK before making a licence application to ORR. The operator will also need to ensure that the applicant demonstrates that they possess the language skills necessary.

3.4 If required, further information can be sought from ORR by emailing TDL.Applications@orr.gov.uk

4. Cross Border Train Operators

Summary

Under TDLCR, all train drivers who drive through the Channel Tunnel (Fixed Link) and then on to GB rail infrastructure require a valid GB train driving licence (GB TDL) issued by the ORR. However, some routes between specific destinations through the fixed link are covered by an agreement between the UK and French governments which requires only a single licence.

Requirements

4.1 In relation to cross-border train driving, the ORR does not have any discretion in respect of applying the regulations.

4.2 Since 1 February 2022, EU-issued train driving licences (EU-TDL) are no longer valid on GB mainline infrastructure. Holders of EU-TDLs must also hold a valid GB-TDL issued by ORR to drive on the GB mainline

4.3 However, the British and French governments reached an agreement in December 2021. The effect of the agreement is to permit drivers to operate within specific areas with a single, valid, GB-TDL or EU-TDL train driving licence.

4.4 Regardless of the origin and/or destination of the route, the agreement applies to all cross-border rail transport on the railway network between the stations of Calais Fréthun in France and Dollands Moor Freight Yard (for freight) and Ashford International Station (for passengers) in the United Kingdom, including shuttle services for road vehicles circulating solely within the Fixed Link.

4.5 All applications for a GB-TDL for cross border drivers will need to be made to ORR using the Portal and meeting the same conditions as domestic GB applications. Therefore, the drivers must pass a TDL medical in accordance with Schedule 1 and pass the psychometric fitness assessment in GB conducted by ORR recognised professionals. Train operators should apply in

a timely manner so that ORR can consider and then issue the new licences within one calendar month.

4.6 As with all GB train driving licences, cross border train operators must apply by using ORR's Portal. The guidance for using the Portal has been issued to all operators, including those with cross-border drivers. If further assistance is required, please contact TDL.applications@orr.gov.uk All train operators have duties under TDLCR, including monitoring their drivers.

4.7 Schedule 4 of TDLCR sets out competence requirements relating to certificates for driving on specific infrastructure. It also includes the language standard in paragraph 8 of Schedule 4 (amended in 2015). Paragraph 8 in the Schedule also sets out that drivers must have the language skills to communicate on critical safety issues with train operators in routine, adverse and emergency situations. Drivers must be able to use messages and the communication method specified in National Technical Specification Notices (NTSN) relating to the operation and traffic management subsystem of the rail system and be able to understand and communicate to level B1 of the Common European Framework of Reference for Languages

4.8 The following scenarios are for illustrative purposes only. They assume a single driver for the entirety of the journey:

Scenario	**Summary of train driving licence requirements**
Driving on HS1, then on to the Fixed Link and going forward onto the French mainline.	These drivers must hold both a GB-TDL issued by ORR (to cover their journey on GB rail infrastructure) and a EU-TDL issued by EPSF (to cover their journey on French rail infrastructure).
Driving on HS1, then on to the Fixed Link but not going forward on the French mainline beyond Calais Fréthun.	These drivers must hold a GB-TDL issued by ORR (to cover their journey on GB rail infrastructure).

	Under the UK and French government's 2021 agreement (see background above) a holder of a GB licence can drive through the fixed link and to Calais Fréthun without requiring an EU-TDL licence.
Driving only between Dollands Moor freight yard (for freight services) or Ashford International (for passenger services) and then up to Calais Fréthun.	These drivers must hold a GB-TDL issued by ORR or an EU-TDL issued by EPSF. Under the UK and French government's 2021 agreement (see background above) there is mutual recognition of licences between the two government's licences within these areas.

5. Keeping the train driving licence information up to date

Summary

This chapter is about what you should do when the information on a train driving licence changes and explains the type of events you should notify to ORR.

Required Information

5.1 Under the TDLCR Regulation 23, ORR is required to have and keep up to date a register of licences. This register should include details of any updating, renewal, amendment, expiry, suspension and withdrawal of the licence as well as record the theft, loss or destruction of any licence. The Portal is the online system which allows operators to make applications and view licence records for their drivers.

5.2 Operators can make some changes to their driver's licence records on the Portal directly. Some change will require approval by ORR. It is beneficial for the industry to keep their drivers records as up to date as possible – particularly when drivers leave a train operator's employment or the train operator employs a new driver so we can share the information on the register on request from train operators.

What events do train operators need to notify ORR about?

5.3 You should not deploy a driver on driving duties if you consider the driver;

- has a failed drug or alcohol test;
- their licence is suspended, withdrawn or has expired;
- no longer meets all the conditions for holding a licence or certificate; or,

- is temporary incapacitated.

5.4 TDLCR and the '2009 Commission Decision' sets out the information to be contained in ORR's national register of licences. You maintain your own driver records, but ORR is reliant on you supplying details about new and existing drivers on the Portal in order to maintain the national register of licences.

5.5 If you have updated a driver's details on the Portal, the driver's current licence remains valid until the new one is received (providing the change made requires a new licence). However, if an adjustment is required – such as a correction to vision or hearing - the employing operator needs to make sure that adjustment is implemented immediately.

5.6 Old licences can be destroyed and do not need to be returned to ORR (except in cases of licence suspension or withdrawal, where we will write to the driver directly with instructions about their licence card)

5.7 Regulation 17 of the TDLCR requires you to monitor the licenced train drivers you employ. You must immediately take any necessary action if you become aware of failure to comply with the periodic examinations to maintain the validity of the licence and certificate, other required medical examinations, failing an examination or test required by the regulations, or that the health of the train driver has deteriorated to a point where the driver's fitness to drive trains is called into question. The regulations then describe some of the actions you may decide to take, including contacting ORR. The table below sets out ORR's expectations for when you should contact us. It also clarifies where we do not expect you to contact us.

	Circumstance	ORR's expectation	How to contact ORR
1.	A licensed driver fails a drugs and alcohol test.	We expect to be notified promptly. ORR needs to know this so we can consider whether the licence should be suspended or withdrawn.	Read our separate Guidance on Licence Suspension and Withdrawal and then email the S&W form promptly to TDL.Applications@orr.gov.uk
2.	A licensed driver ***fails*** a required medical or	We expect to be notified promptly in all cases where there is	Read our separate Guidance on Licence Suspension and Withdrawal and then email the S&W

	occupational psychological fitness examination.	no reasonable prospect of a driver regaining the necessary fitness to pass the examination(s). In these cases, ORR will need to consider whether this means that a condition for holding the licence is no longer being met and if the licence should be suspended or withdrawn.	form promptly to TDL.Applications@orr.gov.uk
3	A licensed driver leaves a train operator's employment.	We expect to be notified promptly. New employers need to have access to all their driver records on the Portal. Also, for data protection and GDPR reasons, it is important that only the employing operator sees their drivers' records.	The last employer should promptly notify ORR using the functionality available on the TDL Portal. If you are unsure about the driver records available to you, please contact us at TDL.Applications@orr.gov.uk
4	A licensed driver now requires glasses, contact lenses or hearing aids for driving.	We expect to be notified promptly. This information needs to be displayed on the driver's licence so a re-issue of the licence card is required.	The TDL Portal allows you to update each record directly and request a reissue. We will reissue the licence showing this new information.
5	A licensed driver legally changes their name.	We expect to be notified promptly. A driver's legal name needs to be displayed accurately on their licence. Therefore, a re-issue of the licence card is required.	The TDL Portal allows you update each record directly and request a reissue. We will reissue the licence with the new legal name.
6.	Death of a licensed driver.	We expect to be notified. It is important for ORR to know this information so that driver records can be maintained.	E-mail ORR at TDL.Applications@orr.gov.uk with the driver's full name, licence number, date of birth and date of death. We will update the driver record on the TDL Portal. Please note: There is no need to contact the driver's family to retrieve the licence card (and ORR will not contact the family).

7.	A licensed driver requests a new photograph.	We can receive this information from you outside of the renewal application process. (note: new photographs are a requirement at the first application, and at each point of renewal).	The TDL Portal allows you to update each record directly and request a reissue. We will reissue the licence showing the new photograph. ORR will update a photograph and reissue a licence at no cost to support drivers as part of our Equality Act 2010 duties.
8.	Periods of incapacitation lasting more than 3 months.	Notification not required. No action required by ORR in relation to our licensing duties. This position aligns with GDPR good practice that personal details should only be collected where required.	n/a
9.	A licensed driver ***passes*** a periodic medical examination.	Notification not required. Supplying ***passed*** medical examination information is a known administrative burden from the 2023 government review and no action is required in relation to ORR's licensing duties.	n/a
10	Driver address changes	Notification not required. ORR only uses drivers' home addresses to send letters in connection with suspension and withdrawal cases. But in all these situations, we contact the relevant train operator directly at the start of a case to get the most up to date address.	n/a

If there are any other issues about a driver which are not covered in the table above, please contact us directly at TDL.Applications@orr.gov.uk

6. Maintaining the validity of a licence: monitoring train drivers

Summary

This chapter is about how to maintain the validity of a train driving licence. It also explains what you should do if you have concerns about maintaining the validity of the licence.

Monitoring driver's medical fitness

6.1 Train operators must have a system in place for monitoring any train driver they employ.

6.2 A train driving licence is valid for 10 years from the issue date, as long as their licence has not been suspended of withdrawn by ORR.

What happens if the monitoring of the train driver raises concerns about validity of the licence?

6.3 If, as a result of monitoring, you have concerns about a train driver that may affect their compliance with TDLCR, you must immediately take any necessary action, which may include advising ORR.

6.4 All train drivers are also required under the TDLCR to immediately inform their employer if they consider their state of health calls into question their fitness to drive trains.

6.5 Concerns about medical fitness could arise:

- during ongoing monitoring of the train driver outside of the interval for a periodic medical examination; or
- as result of the train driver failing a periodic medical examination or not having one when required (if the driver fails a medical examination, the

driver must not drive trains until they have passed any following medical examination); or

4.1 where you consider that a train driver's health has deteriorated to the point where the driver's fitness is called into question; or,

- following an operational incident.

6.6 Under TDLCR Regulation 21, if ORR considers that a train driver is a serious threat to the safety of the railways it must immediately take any necessary action. Any necessary action may include:

- requesting the railway undertaking or infrastructure manager to stop any train being driven by the driver;
- suspending or withdrawing the driver's train driving licence, if issued by the ORR; or
- prohibiting the driver from driving a train in Great Britain.

What happens if monitoring continues to raise concerns about the validity of a licence?

6.7 If, as a result of your monitoring, you have informed us of your concerns regarding the validity of the licence conditions in relation to a driver, we will consider the information and any supporting evidence to determine whether there might be sufficient grounds for us to suspend or withdraw a driver's licence. We will keep you and the train driver informed. (For more information on licence suspension and withdrawal process see our separate guidance available on our website here.)

7. Issuing a train driving certificate and maintaining its validity

Summary

This chapter is about train driving certificates. It explains:

- Who issues the train driving certificates;
- What train driving certificates cover;
- Format of train driving certificates;
- Certificate validity;
- Gaining and monitoring the competences for the certificates;
- Leaving employment and the certificate;
- Refusing to issue, renew, or update a certificate and suspending or withdrawing a certificate; and
- Register of certificates and maintaining it.

Who issues train driving certificates and what do they cover?

7.1 Train driving certificates are issued by train operators to the drivers they employ. The certificate sets out which rolling stock a driver may drive and over which infrastructure. The professional knowledge requirements for infrastructure and rolling stock are set out in schedules 4 and 5 of the TDLCR respectively.

7.2 Under TDLCR, the train operator must have an application procedure for issuing, updating and renewing certificates to its drivers to confirm that they have the skills, knowledge and abilities needed to drive trains. This procedure will form part of the train operator's SMS and the train operator must publish it. The train operator must also publish that train drivers have a

right of appeal to ORR against decisions a train operator takes about a driver's certificate. Under TDLCR Regulation 25(1) the train operator must have, and keep up to date, a register of certificates that it issues (which may be in electronic form).

7.3 The procedure for issuing certificates must set out:

how drivers are issued with their certificates;

What the certificate covers;

- how the train operator will keep a register of certificates that it issues; and,
- how drivers who leave a train operator's employment are given copies of their certificates.

7.4 A train operator may decide not to issue a certificate to a train driver.

7.5 A train operator must only deploy a train driver to drive a recorded type of rolling stock or to drive a train on GB infrastructure if they are authorised by a certificate issued by the train operator to do so - unless the driver is covered by the circumstances set out in paragraph 1.11.

Professional knowledge of the infrastructure and rolling stock

7.6 Schedule 4 of TDLCR sets out competence requirements relating to certificates for driving on specific infrastructure. It also includes the language standard in paragraph 8 of Schedule 4 (amended in 2015). Paragraph 8 sets out that drivers must have the language skills to communicate on critical safety issues with train operators in routine, adverse and emergency situations. Drivers must be able to use messages and the communication method specified in National Technical Specification Notices (NTSN) relating to the operation and traffic management subsystem of the rail system and be able to understand and communicate to level B1 of the Common European Framework of Reference for Languages.

7.7 Professional knowledge of the rolling stock includes a variety of competences which should be applied to the specific rolling stock in question. It is not necessary to apply all of these competences to every type of rolling stock because some of the competencies may not be relevant, or a more basic degree of knowledge is sufficient for some types of rolling stock. There are no set pass and fail criteria and it is up to the train operator to decide the 'pass mark' based on risk and the requirements of their operation.

What does the train driving certificate look like?

7.8 The certificates are in a standard format and must be used by all train operators.

7.9 The information in Schedule 2 provides the minimum information that must be provided on the certificate and paragraph 3, what it should look like and the information a train operator must include on it.

7.10 A driver may need more than one certificate if they work as a driver for more than one train operator.

Who owns the certificate? How long is a certificate valid for and must a train driver carry the certificate with them when on duty?

7.11 The train operator owns the train driving certificate and it is issued to the drivers employed by the operator.

7.12 The certificate is valid for the period that the train operator has set out in their procedure or when a train driver leaves a train operator's employment. However, the minimum frequency of the periodic checks to conform with Reg 15 and Schedule 6 shall be as follows:—

(a) linguistic knowledge (only for non-native speakers): every three years or after any absence of more than one year,

(b)infrastructure knowledge (including route and operation rules knowledge): every three years or after any absence of more than one year on the relevant route,

(c)knowledge of rolling stock: every three years.

7.13 Train drivers must have their certificate with them when they are driving a train and the train operator must take reasonable steps to make sure that train drivers have their certificates with them. An ORR inspector can request a driver to show their certificate while on driving duties and if the driver is unable to do this because they have forgotten it, or it has been lost or stolen, the train operator should ensure that the driver is able to provide evidence that the driver holds a certificate. This may be through a copy of the certificate or a telephone number for the inspector to call to check that the driver holds a valid certificate.

Lost, stolen or destroyed certificates

7.14 If a train driving certificate is lost, stolen or destroyed inadvertently, the train driver should notify the issuing train operator so that a duplicate can be issued. While the duplicate is being issued, the train operator must take reasonable steps so that the driver can demonstrate to an inspector that they hold a certificate.

What happens to the certificate when a train driver leaves a train operator?

7.15 When a train driver leaves a train operator the certificate issued by the train operator is no longer valid.

7.16 The train operator must advise the ORR (via the Portal) when a driver leaves their employment for any reason.

7.17 The train operator is required by TDLCR to issue the driver with a certified copy of the certificate showing which rolling stock and on which infrastructure

the driver is competent to drive at the time the driver stops working for the train operator.

7.18 In addition to the certified copy of the certificate, the train operator must also provide the driver with a copy of documents providing evidence of the driver's training, qualifications, experience and professional competence that the driver has completed or obtained. If the train driver is moving from one train operator to another, the new employer **must** request a transfer of safety information be completed by the previous employer about the driver. The production of a train driving licence alone is not a substitute for the normal due diligence checks a train operator should carry out before it employs a driver. More information about established GB rail industry good practice concerning the transfer of safety information can be found in RIS-3751-TOM published by RSSB.

Keeping certificates valid: maintaining driver competence

7.19 The train operator is responsible for training, assessing and monitoring the competence of its drivers. Any training either in-house or externally must be carried out at a recognised training centre with suitably experienced and qualified trainers as required by the TDLCR.

7.20 The train operator should have in place a training programme for both new and qualified drivers, which forms part of its certified safety management system (SMS). This training programme will normally be sufficient to ensure drivers develop the competences they need to obtain the relevant certificate.

What happens if competence elements of the certificate are not maintained?

7.21 If the system for monitoring driver competence (either through routine training or assessment or following the identification of any competence issues) calls into question;

- a driver's competence for driving duties; or

- the validity of the certificate,

then the train operator must take any necessary action immediately in accordance with their policies and procedures.

What happens if a train operator either refuses to issue, update or renew a certificate or if a train operator has suspended or withdrawn a certificate?

7.22 If the train operator has either refused to issue, update, renew a certificate, or suspended or withdrawn a certificate, the train operator should advise the driver of this decision and provide the reasons for the decision. The train operator should also advise the driver of their right to appeal the decision and that appeals should be submitted to ORR. We have produced a guide to the appeal process for certificates here

7.23 If a train operator has suspended or withdrawn the certificate, it must notify ORR as soon as possible, as in some circumstances, there may also be issues which could affect the validity of the licence. We would then consider this in accordance with our guide on suspending or withdrawing licences.

8. Renewal of Train Driving Licences

Summary

A train driving licence is valid for a maximum period of 10 years, but a new licence can be applied for at any point before the licence expires. We require a minimum of one month to process complete renewal applications. However, you may want to consider making renewal applications over a longer timeframe, especially if you have many licences expiring at broadly the same time.

Requirements

8.1 When you apply on the Portal for a licence renewal, you must confirm that the driver:

- Has passed a medical examination within the minimum required frequency for the driver's age, which is, every 3 years for drivers under 55 and annually for drivers aged 55 and over (or at other interval recommended by a recognised doctor). See also the medical and occupational psychological fitness guide and RIS 3789-TOM published by RSSB.
- Is employed under a Competency Management System (CMS), which maintains the driver's general professional competence at the time the application to renew the licence is made.

8.2 TDLCR provides that licences are valid for a maximum of 10 years. Therefore, as a licence expiry date approaches, train operators should submit the renewal application on the Portal on behalf of the driver. We will consider the application and decide whether the conditions for holding a train driving licence continue to be met. Once we are satisfied, we will re-issue the licence. If we are not satisfied, then we will not renew the licence. In such cases, we will write to the driver and their employing operator (if applicable)

setting out the reason(s) for our decision, detailing what actions might need to be taken before we can consider reissuing the licence, and any right to appeal.

8.3 The renewal process has been simplified in relation to a first licence application. Please complete all the sections required on the Portal. You must also provide a new photograph of the driver.

8.4 There is no restriction to how far in advance of expiry a licence can be renewed. We will process fully complete renewal applications within one calendar month. A driver must be in possession of their licence at all times when driving a train.

8.5 The maximum validity of the licence is 10 years. An early application for renewal will only result in a new 10-year licence. There is no provision to carry over the remaining time from the old licence to the new licence. The new licence will have the same licence number as the old one.

8.6 Once the driver has received their new licence, their old licence is no longer valid and must not be used. The old licence must be securely destroyed.

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