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27 November 2013

Ms Carolyn Griffiths
Chief Inspector of Accidents
RAIB
Cullen House
Berkshire Copse Road
Aldershot
Hampshire GU11 2HP

Dear Carolyn

RAIB report: Train passed over Lydney level crossing with crossing barriers raised

I write to update you on the consideration and actions taken in relation to recommendation 2 of the above report which was published on 15 December 2011.

The annex to this letter provides the detail of the actions taken where recommendation 2 has now been implemented. We do not intend to take any further action in respect of this recommendation unless we become aware of an inaccuracy in what we have reported in which case we will write to you again.

We expect to publish this response on our website on 11 December 2013.

Yours Sincerely

Chris O'Doherty



Recommendation 2

The intent of this recommendation is that, when accepting documentary evidence that an individual (such as a crossing keeper) has dealt with particular situations in a competent manner, a sample of these situations should be reviewed to ensure that the individual actually acted appropriately.

Network Rail should review and, if necessary, amend and/or augment existing processes so that, when documentary evidence is used to verify safety-critical competencies of operations staff, appropriate evidence (such as voice recordings) is examined for at least a proportion of the events covered by these documents.

Previously reported

1. On 27 November 2012 we reported that Network Rail had explained that the new signaller competence process incorporated the assessment of safety critical communication rather than it being a separate operations manual procedure. The new process was risk based and therefore the assessor was expected to assess specific communications rather than pick any safety critical communication, so in the case of a location like Lydney, the assessor would have to listen to sufficient safety critical communications concerning the operation of the level crossing to judge competence.

Update

2. After considering the above ORR did not agree that Network Rail had implemented the recommendation, the response focused on safety critical communications but the recommendation applied to all safety critical competencies. ORR has been liaising with Network Rail at bi-monthly meetings in relation to actions being taken.

3. On 9 July 2013 Network Rail provided ORR with a copy of Ops/Comp/CK/01 'Network Operations Competency Requirements for Crossing keepers and Bridge Keepers' (Annex B), which describes the competency management system for crossing keepers and is now in place. It describes what ORR would typically accept as a reasonably practicable competence management system. It includes a combination of: simulations; knowledge tests and direct observations of work place activities.

4. During the latter part of 2012 and early 2013 ORR conducted a national audit on how Network Rail manage the competency arrangements for those employees who operate signalling equipment. The audit confirmed that the Signaller's Competence Management System (CMS) does require assessors to carry out checks and simulations and includes:

- 'simulation scenarios' for high risk elements within the competency cycle;
- Monitoring of voice communications
- Observational visits

5. During visits the Line Manager is expected not only to observe the signallers performance, but also to check operational forms and the Train Register Book / Occurrence Book from which they should note the date and time of any high risk activity so that if applicable an associated voice communication can be downloaded and checked. (Ops Manual procedure 4-20, Section 10).

ORR decision

6. Network Rail has reviewed its processes and duly produced Ops/Comp/CK/01 'Network Operations Competency Requirements for Crossing Keepers and Bridge Keepers'. An audit conducted by ORR confirmed checks, including monitoring of voice communications and simulations are required. ORR has therefore concluded that in accordance with the Railway (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

- taken the recommendation into consideration; and
- taken action to implement it.

7. ORR does not therefore propose to take any further action unless we become aware that the information provided above becomes inaccurate in which case we will write to RAIB again.

Status: *Implemented*