

A Guide to ROGS

5. Annual reports

In the regulations

Regulation 20: Annual safety reports

Regulation 21: Document and record keeping

Schedule 3: Common Safety Indicators

Timing

Regulation 20(2)

5.1 If you are a mainline railway transport operator, you must provide us with an annual safety report by 30 June every year. The report covers your safety performance during the previous calendar year. (For example, the report sent to us by 30 June 2023 will cover the period from January 2022 to December 2022, and so on.) Where there is a change of franchise holder during the year, reports are required from the outgoing operator and the present operator covering the timeframes for their respective operations of that franchise.

Regulation 20(1)

5.2 The annual report must include the following information:

5.3 Information on how you are meeting the safety targets identified in the safety management system (see chapter 1).

Your own safety targets

Specific examples might include the following:

- Reducing the number of 'signals passed at danger' (SPADs) (for example, by providing extra training for drivers and holding briefings on 'SPAD of the month').
- Reducing slips, trips and falls at stations (for example, by improving how surfaces are maintained and providing training for cleaning staff).
- Improving how staff assaults are reported (for example, through a new briefing programme).

CSMs

While the UK was a Member State of the EU the European Commission introduced the following:

- Commission Implementing Regulation 402/2013 which adopts a common safety method on risk evaluation and assessment; and
- Commission Regulation 1078/2012 which adopts a common safety method for monitoring of contractors by transport operators and ECMS.

The CSMs give transport operators a duty to report on their use of CSMs in their annual safety report. The report should briefly set out the operator's experience with applying the CSMs. ECMS must report in their annual maintenance report their experience of applying the CSM for monitoring.

The Rail Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/837)

These regulations make necessary corrections to inoperabilities contained in ROGS and EU retained legislation that arise from the UK leaving the EU.

5.4 In addition to the CSMs referred to above, please also read The Rail Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/837). Chapter 3 "Risk evaluation and assessment" highlights the changes applying to Article 18 of Commission Implementing Regulation (EU) 402/2013.

5.5 Chapter 2 "Supervision and monitoring" of The Rail Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/837) highlights the changes to Article 5 of Commission Regulation (EU) 1078/2012.

5.6 The targets set out in the blue box above are examples and should reflect your own safety targets as described in your safety management system.

5.7 In each case, you should provide basic information on the plans you have in place for meeting the targets.

The results of plans put in place to try and meet those targets

5.8 This section should present information relating to each of the targets, including how much progress you made in achieving the expected results. You could take this information from the company's safety progress reports and review processes for that year.

Statistics for Common Safety Indicators (CSIs)

5.9 The CSIs that apply are those set out in Annex I of the Railway Safety Directive (as amended by the Rail Safety (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/837) under Regulation 3(8)).

5.10 You must provide information against a number of common indicators. Broadly speaking, CSIs cover the following:

- a. The number of accidents, broken down to give figures for specific types of accidents, such as:
 - i. collisions;
 - ii. derailments;
 - iii. accidents at level crossings;
 - iv. people being hit by trains;
 - v. suicides; and
 - vi. fires.
- b. The number of injuries and deaths, broken down to give figures for:
 - i. passengers;
 - ii. workers;
 - iii. level-crossing users; and
 - iv. trespassers.
- c. The number of incidents and near misses, broken down to give figures for:
 - i. broken rails;
 - ii. buckled rails;
 - iii. wrong-side signalling failures (that is, where a signal failure creates danger);

- iv. 'signals passed at danger'; and
 - v. broken wheels and axles on vehicles being used.
- d. The technical safety of the infrastructure, broken down to give figures for:
 - i. coverage of train protection systems; and
 - ii. the number of level crossings (including percentages for the ones that work manually or automatically).
- e. How your company manages its safety measures, particularly how often it carries out audits.

Findings of audits

5.11 The report should explain your own audit of your safety management system, and set out the main safety-related findings.

This could include an assessment of:

- whether the safety policy is suitable and detailed enough;
- whether line managers accept their health and safety responsibilities, and the quality of arrangements to secure control by managers of the safety management system;
- the effectiveness of arrangements to consult employees or their safety representatives on safety matters;
- whether arrangements to train all employees and provide safety advice are suitable;
- whether management arrangements and risk-control systems are suitable;
- whether staff at all levels are keeping to the management arrangements;
- the design of monitoring systems and whether these are still relevant; and
- whether your review systems allow your organisation to learn from experience, improve performance, develop the safety management system and respond to changes.

Comments on 'deficiencies and malfunctions'

5.12 This section should comment on serious accidents or 'near misses' which could have resulted in serious accidents, along with the lessons you have learnt and the action you have taken (if any). Incidents involving people committing suicide or trespassing should not be covered in this section. You do not need to repeat information you provided earlier in the report.

This section is likely to range from a few sentences to around half a page, depending on the type of incidents or information you are commenting on. Examples of 'deficiencies and malfunctions'

include the following:

- An increase in signals passed at danger, identifying common causes for these incidents and the action you have taken as a result.
- A door fault, common to a particular class of train, which could result in serious injury, and the action you have taken to put right the fault.
- An increase in the number of broken rails, identifying the causes of this and the action you have taken to limit the risk.
- A significant increase in the number of injuries to passengers in stations, identifying any causes (such as passengers messing around or misusing alcohol) and the action you have taken to reduce the risk.
- Any incidents or trends that show that safety is getting worse, which are not covered elsewhere in the report.

Annual reporting on the mainline railway

5.13 If you are a mainline operator, your annual report must cover your performance against CSIs. As well as the indicators described above, your report on the mainline railway should also include:

- a. in relation to accidents, a breakdown of all other types of accidents not mentioned above;
- b. in relation to injuries and deaths, information broken down by all other types of people, such as employees, passengers and contractors; and
- c. a full account of the total costs of accidents, including:
 - i. compensation;
 - ii. repairs to vehicles or the infrastructure;
 - iii. disruption to service; and
 - iv. any working time lost.

5.14 Where an operation is carried out in part on the mainline railway and in part on another transport system, the report shall include only information in respect of the part carried out on the mainline railway.

5.15 Non-mainline operators operating on the mainline railway must cooperate with mainline duty holders so that relevant information is included in the mainline duty holder's annual report.

More information

- Guidance on annual safety reports
- Commission Implementing Regulation (EU) No 402/2013 of 30 April 2013 on the common safety method on risk evaluation and assessment
- ← Previous 4. Risk assessments
- → Next 6. Cooperation