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16 March 2021

Mr Andrew Hall  
Deputy Chief Inspector of Rail Accidents  
Cullen House  
Berkshire Copse Rd  
Aldershot  
Hampshire GU11 2HP

Dear Andrew,

**RAIB Report: Near miss with track workers at Pelaw North Junction on 21 February 2018**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendations 3 & 4 addressed to ORR in the above report, published on 28 August 2018.

The annex to this letter provides details of actions taken in response to the recommendations and the status decided by ORR. The status of recommendations 3 & 4 is '**Implemented**'.

We do not propose to take any further action in respect of the recommendations, unless we become aware that any of the information provided has become inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 17 March 2021.

Yours sincerely,



Oliver Stewart

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<sup>1</sup> In accordance with Regulation 12(2)(b) of the Railways (Accident Investigation and Reporting) Regulations 2005

### Recommendation 3

*The intent of this recommendation is to improve the quality of on-site risk assessments undertaken by work site controllers.*

Nexus Rail should:

- a) improve the documentation it provides to its mobile staff to enable them to undertake a suitable risk assessment on site, including consideration of the need for additional lookouts; and
- b) provide improved training to its work site controllers on recognising, assessing and mitigating risks in situations where work is to be carried out on lines open to train movements. The training should include use of the improved documentation from (a), the use of information derived from the implementation of Recommendation 1 of this report, the correct assessment of sighting distances on curved track and examples of locations on its network (eg Pelaw North Junction) where visibility of approaching trains can be compromised by train movements on other lines.

### ORR decision

1. Nexus has issued a revised risk assessment form and briefed relevant staff on how to use it to help them carry out a suitable and sufficient risk assessment when working on track that is open to traffic. Following feedback from ORR, in order to address the intent of recommendation 3, the form was revised to directly reference the potential need for additional lookouts.
2. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Nexus has:
  - taken the recommendation into consideration; and
  - has taken action to implement it

**Status: Implemented.**

### Previously reported to RAIB

3. On 20 August 2019 ORR reported that Nexus had trialled but not yet finalised a new risk assessment form for Work Site Controllers (WSC). Recognising that the bulk of the work to implement 3b had been carried out, a final briefing on the new WSC paperwork would be all that was required to move the recommendation to implemented

### Update

4. On 9 July 2020 Nexus provided the following update:

*The trial of our revised Work Site Controller (WSC) form is about to conclude and we will be briefing the final form out to our WSCs, although it would be fair to say that there is already a high degree of familiarity with it.*

## Recommendation 4

*The intent of this recommendation is to reduce the risk to track workers arising from inexperienced staff implementing unsafe systems of work.*

Nexus Rail should put into place a process to mentor and support newly qualified safety critical track staff, such as lookouts and WSCs, until they have acquired sufficient operational experience and knowledge to fully appreciate risks and are able to make safe decisions in potentially hazardous situations and changing conditions.

## ORR decision

5. Nexus has introduced a new version of its track safety training standard and revised documentation to improve the recording of work experience for staff with newly acquired competence in areas including look out/site warden, PICOB, WSC and IWA.

6. The ORR lead inspector for the Tyne & Wear Metro and our Operations Specialist met with NEXUS to discuss competence management arrangements and potential improvements to its system. We were happy with the outcome of that meeting and the direction they are moving in, particularly around making the competence management system electronic and therefore easier to use, monitor and analyse the data obtained.

7. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Nexus has:

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

**Status: Implemented.**

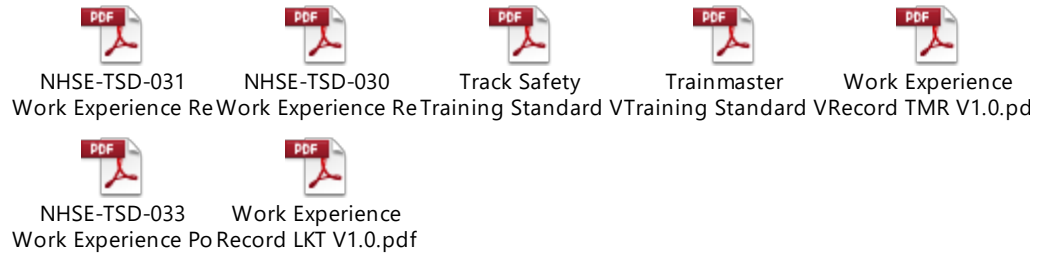
## Previously reported to RAIB

8. On 20 August 2019 ORR reported that Nexus had reviewed the processes used by other railway administrations to support newly qualified staff in safety critical roles. Work was ongoing to update their standard for training and mentoring track workers.

## Update

9. On 9 July 2020 Nexus provided the following update:

*The relevant Training Standard has been rewritten and validated, training material compiled, and associated documentation produced to allow us to introduce the support arrangements for newly-qualified Work Site Controllers (WSCs) and Persons in Charge of Block (PICOB) with effect from next week, so they are available for our next training candidates.*



## Previously reported to RAIB

### Recommendation 3

*The intent of this recommendation is to improve the quality of on-site risk assessments undertaken by work site controllers.*

Nexus Rail should:

- a) improve the documentation it provides to its mobile staff to enable them to undertake a suitable risk assessment on site, including consideration of the need for additional lookouts; and
- b) provide improved training to its work site controllers on recognising, assessing and mitigating risks in situations where work is to be carried out on lines open to train movements. The training should include use of the improved documentation from (a), the use of information derived from the implementation of Recommendation 1 of this report, the correct assessment of sighting distances on curved track and examples of locations on its network (eg Pelaw North Junction) where visibility of approaching trains can be compromised by train movements on other lines.

### ORR decision

1. Nexus have trialled but not yet finalised a new risk assessment form for Work Site Controllers (WSC). Recognising that the bulk of the work to implement 3b has been carried out, a final briefing on the new WSC paperwork should be all that is required to move the recommendation to implemented.
2. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Nexus has:
  - taken the recommendation into consideration; and
  - is taking action to implement it

**Status: Implementation ongoing. ORR will advise RAIB when actions to address this recommendation have been completed.**

### Information in support of ORR decision

3. On 19 October 2018 Nexus provided the following initial response:

#### ***Recommendation 3(a) - Improving the documentation provided to mobile staff***

*We have enhanced the form that the Work Site Controller (WSC) must complete. This now emphasises the requirement for a suitable risk assessment on site, and requires the WSC to record the number of lookouts he/she needs (if he/she elects to use lookout protection). The revised form is currently undergoing field trials; I expect this phase to be complete by the end of November.*

#### ***Recommendation 3(b) - Training Work Site Controllers***

*We will use the enhanced form from recommendation 3(a) as part of a training session for all our WSCs. The training will also include the correct assessment of sighting distances, and examples of places on the Tyne and Wear Metro system where visibility of approaching trains may be obscured by other train movements. This training will begin in mid-December 2018. We have about 250 WSCs to train, so I anticipate that this will continue into early 2019.*

4. On 3 July 2019 Nexus provided the following update:

**Recommendation 3a (revise WSC paperwork)** – *trials of a revised form concluded at the end of April. Extensive feedback was compiled, and provided to our Track Safety Working Group. The Group will, inter alia, finalise and implement a new WSC form using this feedback. We also envisage improving the way in which any future revisions to these and other similar forms are communicated to the people who will be using them.*

**Recommendation 3b (retrain WSCs)** – *apart from a very small number of people who are on long-term sick leave all WSCs (amounting to more than 200 individuals) have undergone retraining.*

*This training covered:*

- *the reason for retraining – the Pelaw near miss, and the critical importance of rule compliance*
- *the revised layout of the HD, and when/how to access it, including the use of an electronic device such as a Kindle*
- *the requirement always to undertake a site assessment, so that transient hazards (e.g., vegetation) are taken into account*
- *the trial WSC form, when/how to complete this, and the provision of feedback on it*
- *the availability of other methods of track worker protection*
- *the correct technique for assessing 350m sighting distance (i.e., using individual mast identification numbers), and reminding WSCs that the long-standing “7 Mast” reckoner is unreliable and must not be used*
- *the risk of one train obscuring another one*

#### **Recommendation 4**

*The intent of this recommendation is to reduce the risk to track workers arising from inexperienced staff implementing unsafe systems of work.*

Nexus Rail should put into place a process to mentor and support newly qualified safety critical track staff, such as lookouts and WSCs, until they have acquired sufficient operational experience and knowledge to fully appreciate risks and are able to make safe decisions in potentially hazardous situations and changing conditions.

#### **ORR decision**

5. Nexus have reviewed the processes used by other railway administrations to support newly qualified staff in safety critical roles. Work is ongoing to update their standard for training and mentoring track workers.

6. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Nexus has:

- taken the recommendation into consideration; and
- is taking action to implement it, but ORR has not yet been given a clear completion date.

**Status: *Progressing*. ORR will advise RAIB when further information is available regarding actions being taken to address this recommendation.**

### **Information in support of ORR decision**

7. 19 October 2018 Nexus provided the following initial response:

*We have gathered examples of practice for newly-qualified personnel from other railway administrations and will also use ORR guidance to determine the approach.*

8. On 3 July 2019 Nexus provided the following update:

*Work is progressing under the Competency Management Review Panel to update the Track Safety Training Standard, adding the required mentorship requirements for track protection activities and also to produce any associated forms and handbooks.*