Oliver Stewart
RAIB Recommendation Handling Manager

22 December 2023

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Derailment of a passenger train at Carmont, Aberdeenshire on 12 August 2020

I write to provide an update[1] on the action taken in respect of recommendation 11 addressed to ORR in the above report, published on 10 March 2022.

The annex to this letter provides details of actions taken in response to the recommendation and the status decided by ORR. The status of recommendation 11 is **'Closed'.**

We do not propose to take any further action in respect of the recommendation, 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.

Yours sincerely,

Oliver Stewart

Recommendation 11

The intent of this recommendation is to provide a consistent risk-based approach for establishing when trains are to be run to prove a line is safe for normal use by subsequent services, and the procedures, including the operating speeds, applicable to these trains. Implementation should consider all types of route proving, including if required after engineering works and after a prolonged period when train services are not operated.

Network Rail, assisted by RSSB and the Rail Delivery Group (RDG) should:

a) determine the objectives of the operation of route proving trains, including consideration of the risks which the operation of such trains is expected to mitigate, and the risk posed to the operation of route proving trains themselves

b) identify the hazards which staff operating such trains are expected to identify, and the responsibilities for reporting any identified hazards

c) identify the circumstances (including those not related to weather conditions) in which route proving trains should be operated

d) identify how route proving trains should be operated (considering factors such as train speed and the effect of reduced visibility)

e) introduce documented processes for implementing these findings.

ORR decision

1.   Network Rail has issued a new route and line proving process, National Operating Procedure (NOP) 3.41. The NOP covers the objectives of the operation of route proving trains; the hazards staff operating such trains are expected to identify and report; the circumstances (including those not related to weather conditions, such as traction current continuity) in which route proving trains should be operated; and how route proving trains should be operated. We have asked Network Rail to clarify the circumstances when a passenger train would be authorised to carry out route proving.

2.   National Operating Procedure (NOP) 3.41 was published in June 2023, with go live in September 2023 and briefing material approved in April 2023. To identify potential improvements, Network Rail are planning a review of use of the NOP within 12 months.

3.   Network Rail have made a request to the RSSB Traffic Operation and Management Standards Committee (TOM SC) to develop guidance on the duty of cooperation between infrastructure managers and railway undertakings for route proving. A request has also been made to RSSB to develop rules and regulations for signallers and drivers, as the Rule Book does not currently cover route proving. Publication is expected in September 2024.

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

- taken the recommendation into consideration; and

- taken action to close it.

Status: Closed.

Previously reported to RAIB

5.   On 9 March 2023 ORR reported the following:

A National Operating Procedure (NOP) for route proving and the competence framework that will underpin it are being drafted. A working group is being established to consider how to embed the NOP.

Network Rail have asked RSSB to develop guidance (and possible changes to the Rule Book) covering route proving and cooperation between drivers and signallers.

The Network Rail Technical Authority has drafted guidance for route controls on route proving, covering how it is implemented, when it is needed and timescales. The draft guidance is being stakeholder reviewed internally by Network Rail.

The NOP is expected to be published in May/June 2023, so the December completion date in the Network Rail plan remains valid. The RIS and Rule book changes may be after December 2023.

Update

6.   On 26 September 2023 Network Rail provided the following closure statement and supporting documents:

[N216-14] Carmont RAIB Rec 11.doc   NR_L3_OPS_045_3.4 1.pdf   NR_L3_OPS_045_3.4 1_BRIEFING.pptx

Previously reported to RAIB

Recommendation 11

The intent of this recommendation is to provide a consistent risk-based approach for establishing when trains are to be run to prove a line is safe for normal use by subsequent services, and the procedures, including the operating speeds, applicable to these trains. Implementation should consider all types of route proving, including if required after engineering works and after a prolonged period when train services are not operated.

Network Rail, assisted by RSSB and the Rail Delivery Group (RDG) should:

a) determine the objectives of the operation of route proving trains, including consideration of the risks which the operation of such trains is expected to mitigate, and the risk posed to the operation of route proving trains themselves

b) identify the hazards which staff operating such trains are expected to identify, and the responsibilities for reporting any identified hazards

c) identify the circumstances (including those not related to weather conditions) in which route proving trains should be operated

d) identify how route proving trains should be operated (considering factors such as train speed and the effect of reduced visibility)

e) introduce documented processes for implementing these findings.

ORR decision

1.   A National Operating Procedure (NOP) for route proving and the competence framework that will underpin it are being drafted. A working group is being established to consider how to embed the NOP.

2.   Network Rail have asked RSSB to develop guidance (and possible changes to the Rule Book) covering route proving and cooperation between drivers and signallers.

3.   The Network Rail Technical Authority has drafted guidance for route controls on route proving, covering how it is implemented, when it is needed and timescales. The draft guidance is being stakeholder reviewed internally by Network Rail.

4.   The NOP is expected to be published in May/June 2023, so the December completion date in the Network Rail plan remains valid. The RIS and Rule book changes may be after December 2023.

5.   After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:
- taken the recommendation into consideration; and
- is taking action to implement it

Status: Open

Information in support of ORR decision

6.	On 20 April 2022 Network Rail provided the following action plan:

Action Plan
Please provide milestones with dates
Develop interim guidance to be cascaded to the Regions so there is a consistent approach to Route Proving until the longer term work is complete. March 2022 – Item complete.
Submit a request for help to the RSSB with the proposal for risk work to be completed and the required changes to the Rule Book. The changes will incorporate the Signaller, Driver and other operational roles on the railway. March 2022 – Item complete.
Submit a remit to the Standards and Controls Group to build the Guidance into the National Operating Procedures for Route Control. 30 April 2022
Complete a cross industry piece of risk work to assess the objectives of the operation of route proving trains.31 August 2022
From the risk work, determine how to publish the requirements and decide whether there is a need to develop a Railway Industry Standard to outline the process for Route Proving. 30 November 2022
From the risk work, determine whether there is a need to publish the requires for Signallers, Drivers and other rail staff within the Rule Book for Route Proving. 30 November 2022
Publish the guidance for Route Controls within a National Operating Procedure. April 2023
Develop industry briefing materials and implementation plan. 31August 2023
Publish the RIS for Route Proving if required. 15 December 2023
Publish the Rule Book updates for Route Proving if required. 15 December 2023
Evidence required to support closure of recommendation
Route proving guidance document. Request for help document. Standard Remit document Industry risk assessment. Possible Rail Industry Standard. Possible National Operations Procedure. Updated Rule Book modules. Industry briefing material.