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Dear Colleague

Progress update on ORR's review of approaches to assessing the costs and benefits of health and safety interventions in rail

In March 2025, we published the findings of our [review](#) into approaches to assessing the costs and benefits of health and safety interventions in the rail sector. This letter updates on progress in implementing the recommendations from our report ahead of a final review of implementation by March 2026. A summary of the key findings and recommendations is annexed to this letter.

We would like to thank all organisations who have contributed to the progress that has been made since the publication of our report.

Testing reasonable practicability

Our review highlighted room for greater consistency in how the costs and benefits of health and safety interventions are assessed when making safety related decisions. We therefore welcome the [e-learning course](#) which the Rail Safety and Standards Board (RSSB) has made available on its 'Taking Safe Decisions' guidance and its updated [guidance](#) and [tool](#) on Cost Benefit Analysis, both of which were launched in July 2025.

We encourage rail professionals to take up this training, which is also available to incorporate into organisations' internal training programmes, and we will be engaging again with industry in autumn 2025 to understand how these are being used. We will report on this by March 2026.

Network Rail also rolled out its own internal guidance in July to support greater consistency in approach to health and safety decision making and testing reasonable practicability. It has also produced a cost-benefit analysis tool for its staff, which it has mandated for RAIB recommendations. Network Rail will monitor its use and consider whether mandating it more widely will be appropriate. Network Rail will update us on how the guidance and tool have been implemented and how they support consistency in decision making across the business.

Network Rail processes for monitoring costs and project outcomes and governance around safety decision making

Our review found room for improvement in Network Rail's internal process for monitoring project costs and outcomes and in its governance and documenting of significant health and safety initiatives.

Network Rail's internal guidance sets out expectations of how project costs and outcomes should be monitored and decision making documented. Network Rail will be providing evidence of how this is working in practice and will update by March 2026.

Network Rail processes for escalating health and safety issues and managing emerging risks at national and regional level

Our review also found room for improvement in Network Rail's internal process for escalating significant emerging health and safety compliance risks.

Network Rail says that it has implemented a more structured internal process for capturing significant health and safety compliance issues and escalating these internally. This includes quarterly business assurance committees, attended by Network Rail regions, Route Services and the Technical Authority, which provide a structured and documented way to escalate safety risks and a forum for considering national alignment on how risks are managed.

The Technical Authority is also planning to create a nationally agreed process definition on health and safety regulatory liaison across the business, which will include risk and issues escalation, by the end of 2025.

Network Rail will be providing evidence of how these changes are working in practice and will update by March 2026.

Engagement between ORR and Network Rail

Our report recommended that we explore opportunities to further strengthen our engagement with Network Rail, which we have done, particularly at senior level. We continue to embed regular senior level engagement on relevant health and safety interventions and enforcement activities, and how compliance is being addressed. This has improved our engagement with the right individuals at the right time.

We are also exploring how our health and safety inspectors can raise issues at site level with a single point of contact within Network Rail to strengthen internal communications and ensure issues are escalated where necessary.

Health and safety considerations in train operators' business planning

Our review found that the assessment of costs related to health and safety interventions was limited during the annual business planning process for train operators. To support funders' assessments of train operators' business plans, we have shared our health and safety priorities with DfT and will continue to engage with DfT to explore opportunities to further share perspectives and provide advice.

We have also put in place strategic dialogue with Transport Scotland on health and safety issues related to train operations and infrastructure on the Scottish rail network.

Safety by Design

We have engaged with DfT on our recommendation that future train operators should be involved in the procurement of new trains to ensure that health and safety issues relating to the planned use of the train are considered and understood by all parties before the design is finalised. RSSB guidance on [Key Train Requirements](#) is also available for industry. This is currently being reviewed by RSSB to include risk management throughout the procurement process. We consider this is the right approach. We will follow up with DfT on how the process for the procurement of trains is working.

We have updated our public messaging on [health and safety by design](#) to reinforce the need to consider risks and impacts at the earliest stages of project development, reducing the need to make costly changes at a later stage. This should encourage the consideration of operational risks and the intended use of the train at an early stage of projects when there is an opportunity to influence the design and specification decisions.

The Government's rail reform programme is progressing. We will continue to provide input and seek opportunities to influence health and safety decisions, using our role on the Rail Transformation Safety Working Group, to realise the benefits of integrating track and train under Great British Railways.

Review of industry standards

Our review highlighted that the process to deviate from an industry standard is reasonably well understood but deviating from a standard is not always straightforward. We did not make recommendations on standards given that several programmes were due to start or were already underway to improve the efficiency and functioning of the standards framework when we undertook our review.

We have supported RSSB in its review of its internal governance processes, which took place over the summer. This has resulted in some changes to the way decisions on the application of standards are taken. [The Railway Standards Code](#)

[and Manual](#) will be updated at the end of 2026 to reflect these changes. We also continue to work closely with RSSB on its review of the standards framework, which includes consideration of the deviation process. This will result in further changes to the Code and Manual in 2027.

We also supported RSSB and DfT on the review of [National Technical Specification Notices](#) (NTSNs) following changes to the EU's Technical Specifications for Interoperability (TSIs), which our NTSNs replaced following EU Exit. This work included an assessment of the costs and benefits of change to the NTSNs. This led DfT to maintain broad alignment with TSIs but introduced some differences in NTSNs compared to TSIs where this does not increase costs and remains consistent with the essential requirements of Britain's rail interoperability framework. The revised NTSNs were published by the Secretary of State for Transport in May 2025.

The public consultation that informed the NTSN revisions identified further areas for NTSN changes that could improve efficiency and reduce costs. We will continue to work with DfT and RSSB as further changes are developed, including on rail electrification. Work is also now starting to develop options for a wider reform of the rail technical standards framework itself, to support the creation of Great British Railways. We will work with DfT and RSSB to ensure cost implications of change are fully understood and considered in any decision making.

ORR ways of working

As the combined health and safety and economic regulator, we consider our economic duties alongside our safety role and seek to continuously improve how we work across our safety and economic regulation functions. Through this review, we have looked at how different teams in ORR work with Network Rail and other companies. This has allowed us to improve the effectiveness of our interactions with Network Rail.

Our action on Network Rail's management of structures, where we found a backlog of structural assessments, demonstrates how ORR works across our rail safety and economic teams in assessing risk and escalating our concerns. Our [intervention](#) in February 2025, following significant dialogue with Network Rail for some time, dealt with both immediate and longer-term sustained compliance considerations which may lead to train performance and public safety risks.

Looking ahead to the next periodic review, which will set funding and outputs for railway infrastructure for Control Period 8 (CP8), our safety and economic teams will be working closely with Network Rail and funders to understand significant health and safety issues that require funding to secure the safety of the network both for those who work on it and for those who use it.

Next steps

We will undertake a final review of the implementation of our recommendations by March 2026. This will include looking at the uptake of RSSB's e-training on Taking Safe Decisions and the implementation of Network Rail's guidance across its regions and functions to ascertain how both have supported better safety decision making. We will engage with industry later in the autumn on this.

We look forward to continuing to work with you and other industry colleagues on this important area of policy and practice.

Yours faithfully

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Markets

Richard Hines

HM Chief Inspector of Railways and
Director of Railway Safety

Annex A – Summary of key findings and recommendations

Key findings	Recommendations
There is a lack of consistency in how reasonable practicability is tested.	Recommendation 1) Industry should enhance its understanding of how to test reasonable practicability. RSSB has confirmed that it is developing further training to support its guidance – ‘Taking Safe Decisions’ – to be rolled out to industry, including senior decision makers. We encourage industry leaders to engage with RSSB’s work. ORR supports this new training and will engage with RSSB on the content prior to the launch.
	Recommendation 2) Network Rail should continue to develop and implement its approach and guidance for determining reasonable practicability, including a tool for cost-benefit analysis in line with RSSB’s industry guidance. Network Rail, RSSB and ORR should ensure that the approaches to testing reasonable practicability for industry and Network Rail are aligned as far as possible.
The process to deviate from an industry standard is reasonably well understood but deviating from a standard is not always straightforward.	No recommendation: RSSB has already embarked on a review of the deviation process in relation to its standards framework. ORR supports this review. This work is scheduled to take place during 2025 - 2026.
Assessment of costs related to health and safety interventions is limited during the annual business planning process for train operators funded by DfT.	Recommendation 3) ORR and DfT should work together to improve DfT’s awareness of priorities for health and safety. We will engage with DfT and other rail funders on how we can share perspectives and provide advice to enhance their assessment of health and safety interventions.
There is opportunity to improve the identification and inclusion of solutions to manage health and safety risks with trains earlier in the design process.	Recommendation 4) When new trains are being considered, the party acting as the lead on procurement should ensure engagement, where possible, with the future operator to ensure that health and safety issues relating to the planned use of the train are considered and understood by all parties before the design is finalised. ORR also has a role to promote the principles of health and safety by design and clarify the limitations of the interoperability process in relation to operational safety.
	Recommendation 5) The Government’s rail reform programme should consider how health and safety by design can be improved when new trains are being procured. This will realise a benefit of integrating track and train under rail reform.

Key findings	Recommendations
Network Rail's internal process for escalating emerging health and safety risks should improve.	Recommendation 6) Network Rail should develop a more robust process for capturing significant health and safety compliance issues and escalating these within the organisation.
	Recommendation 7) Network Rail should consider ways to improve how regional and national approaches to address emerging risks are managed, which will allow for effective decision making at corporate level.
The progressive monitoring of costs, project outcomes and governance within Network Rail on significant health and safety initiatives should be improved.	Recommendation 8) For major health and safety interventions, Network Rail should improve its monitoring of cost and project outcomes to ensure that costs are controlled and test that intended benefits are realised. This should include re-evaluating reasonable practicability when there are significant changes in costs and/or the means to realise health and safety benefits.
	Recommendation 9) Network Rail should improve its governance, and documentation of decisions on major health and safety initiatives to improve transparency and to support Recommendation 8.
There is scope for improved consistency of approach in raising awareness and escalating health and safety issues between Network Rail and ORR.	Recommendation 10) Network Rail and ORR should explore opportunities to further strengthen existing engagement on significant health and safety issues. As individual organisations, we will ensure that when novel or complex initiatives arise, there is timely engagement to ensure that issues are being discussed through the appropriate channels. We will continue to have structured engagement with Network Rail (and in future GBR) and industry at a senior level on health and safety matters that could significantly shape future funding requirements.

The Table above summarises all findings and recommendations, some of which relate to wider industry (in blue), some of which are specific to Network Rail (in orange) and one for both Network Rail and ORR (in red).