

Oliver Stewart
RAIB Recommendation Handling Manager



25 June 2026

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Near miss with two track workers at Penkridge, Staffordshire on 10 July 2022

I write to provide an update¹ on the action taken in respect of recommendation 1 addressed to ORR in the above report, published on 8 August 2023.

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 1 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

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

Recommendation 1

The intent of this recommendation is to ensure that appropriate safety arrangements remain in place when groups split during activities on or near the line.

Network Rail should undertake a review of the relevant rules, standards, procedures and training material to ensure that adequate instructions and guidance exist for Persons in Charge and Controllers of Site Safety about the actions to be taken when track workers split from a group while on or near the line. This review should specifically examine how the safety of the staff being split from the group is maintained and the way in which modified arrangements will be planned, implemented, briefed and recorded. Network Rail should develop a timebound programme for the implementation of any appropriate changes identified

ORR decision

1. As previously reported to RAIB, Network Rail asked RSSB to clarify in the Rule Book guidance to COSS's when supervising a group. GERT8000 Handbook 7 now includes the requirements for how a COSS to observe their group working and then of subsequent actions to be taken when a group splits during activities on or near the line. Network Rail has provided a summary of how the changes set out in the closure statement have been embedded in the NR/L2/OHS/019 process.

2. 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

3. On 1 August 2024 ORR reported the following:

From the findings of the review undertaken in response to recommendation 2, Network Rail plan to replace the existing COSS initial/recert training with specific modules on subjects such as Track Warning Systems, Protection Systems and Possessions. In addition, a request to help has been raised with RSSB to clarify guidance to COSSs when supervising a group (Section 4.1 of Handbook 7), including when a work group is split.

Network Rail expect to be in a position to close the recommendation once a post implementation review of the changes has been completed.

Update

4. On 17 March 2026 Network Rail provided the following closure statement:



[N250-17] PenkrIDGE
Rec 1.doc

5. On 7 May 2026 ORR wrote to Network Rail as follows:

Can you explain how the changes set out in the closure statement have been embedded in the NR/L2/OHS/019 process?

6. Network Rail responded as follows on 13 May 2026:

[name redacted] and I discussed this, and the short answer is yes but in a complementary (not duplicated) way.

- *GERT8000 Handbook 7 (HB7) contains the direct behavioural rules for a COSS about:*
 - *observing their group, and*
 - *what must happen if the group splits.*
- *NR/L2/OHS/019 and its modules do not restate those detailed Rule Book instructions, but they do require that the Safe System of Work (SSoW) and delivery arrangements ensure those Rule Book duties are complied with.*

1. What HB7 (GERT8000) actually requires

HB7 is the authoritative Rule Book for COSS duties. It explicitly defines:

a) Observing / controlling the group

- *The COSS must remain with and continuously observe the group (recent updates strengthened this expectation).*

b) When a group split

- *Members must not leave the group to form another working group unless they are under the control of another competent COSS (or equivalent responsible person).*

These are absolute operating rules (i.e. “how the work is controlled on site”).

2. What NR/L2/OHS/019 covers

NR/L2/OHS/019 is different in purpose:

- *It defines the process for planning and delivering safe work on or near the line, including:*
 - *Safe Work Packs (SWP),*
 - *allocation of Person in Charge (PIC),*
 - *risk assessment and control measures.*
- *It is explicitly used alongside the Rule Book (GE/RT8000 / GERT8000).*

- *It assumes the PIC may also be acting as COSS / IWA, and that those duties are carried out in accordance with the Rule Book.*

Key implication

019 does not duplicate HB7 wording such as:

- *“remain with your group”*
- *“group must not split without another COSS”*

Instead, it requires that:

- *the SSoW is designed so the group can be safely supervised, and*
- *roles and responsibilities are clearly defined and controlled.*

3. Where the “group splitting” concept appears in 019 (indirectly)

In 019 (and its modules), the requirement appears more indirectly through planning and control principles, for example:

- *Work must have a clearly defined Person in Charge / COSS responsibility.*
- *The SSoW must control people, movement and interfaces between work sites or groups.*
- *Multiple workgroups or locations must be explicitly managed and coordinated.*

This effectively means:

- *If a group is going to split, the plan must provide additional control (e.g. another COSS / PIC, separate SSoW, or defined supervision)*
- *Otherwise, it would breach both 019 (poor control of risk) and HB7 (Rule Book violation)*

4. Putting it together (practical interpretation)

Topic	HB7 (Rule Book)	NR/L2/OHS/019
Observing group	<i>Direct requirement: COSS must remain with and observe group</i>	<i>Indirect: SSoW must enable supervision and control</i>
Group splitting	<i>Explicit prohibition unless another COSS takes control</i>	<i>Indirect requirement via planning, roles, and control of workgroups</i>
Enforcement level	<i>Operational rule (mandatory on site)</i>	<i>System/process requirement (planning and assurance)</i>

Therefore:

HB7 is where you will find the explicit rule:

A COSS must observe their group and must not allow it to split unless another COSS takes control.

- *NR/L2/OHS/019 supports and enforces this at a system level, by requiring:*
 - *proper planning,*
 - *defined supervision, and*
 - *effective control of workgroups.*

Previously reported to RAIB

Recommendation 1

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ORR decision

1. From the findings of the review undertaken in response to recommendation 2, Network Rail plan to replace the existing COSS initial/recert training with specific modules on subjects such as Track Warning Systems, Protection Systems and Possessions. In addition, a request to help has been raised with RSSB to clarify guidance to COSSs when supervising a group (Section 4.1 of Handbook 7), including when a work group is split.
2. Network Rail expect to be in a position to close the recommendation once a post implementation review of the changes has been completed.
3. 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 close it

Status: Open.

Information in support of ORR decision

4. On 29 January 2024 Network Rail provided the following initial response:

Action Plan

Please provide milestones with dates

Following on from the work carried out on non-technical skills to meet the requirements of Margam Recommendation 4, all the actions were completed apart from the last two points:

- Monitor and review any changes made – Ongoing (PTS and COSS changes)
- Update report to be provided after the review to demonstrate effects of the interventions.

It was agreed by the ELT that elements of the person In charge work along with safety leadership and NTS is to be part of the COSS Enhancement programme. This has had funding agreed for Control Period 7 (CP7) with an end date (if not sooner) of December 2024.

The review of the effects of the intervention cannot be done until after the training has been updated and used for at least a year, this would be the end of 2025 based on current timescales.

To meet the requirements of the two outstanding actions the Margam recommendation 4 was closed and as part of the Penkridge RAIB Recommendation 1 the work that P4D are continuing with COSS enhancements, along with the findings from Penkridge Recommendation 2.

18th October 2023 – Request for help sent to RSSB – **Completed (details below)**

4th December 2023 – NR Training to make changes to the COSS materials to capture 2023 Rule Book changes.

22nd December 2023 – Bridgeway Consulting to conclude the data analysis of Near Misses and Operational Close Calls to be used in the enhancements of the training - **Completed.**

8th to 9th January 2024 – COSS Modular PID/Scoping session to take place.

1st April 2024 – (CP7) Work on changes to the COSS training to commence.

31st December 2024 - COSS Enhancement programme concludes and goes into Business-As-Usual changes.

1st June 2025 to 31st December 2025 – Post Implementation Review of the COSS Enhancements to start to gain insight into how the changes have been received and implemented.

Progress of the actions plan will be track via the P4D Programme Board and updates to the ORR via the Trackworker Experts board.

Evidence required to support closure of recommendation

Copy of request for help to the RSSB:



Review and enhance
HB7 in response to R/

Visual of COSS enhancements Programme:



COSS Plan.pdf

P4D Programme Board track progress the enhancements progress, attached is the Terms of Reference:



P4D Programme
Board ToR.pdf