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Ms Carolyn Griffiths
Chief Inspector of Rail Accidents
Cullen House
Berkshire Copse Rd
Aldershot
Hampshire GU11 2HP

Dear Carolyn,

RAIB Report: Passenger accident at Brentwood Station, 28 January 2011

I write to provide an update¹ on the consideration given and action taken in respect of recommendation 1 addressed to ORR in the above report, published on 28 November 2011.

The annex to this letter provides details of the action taken. The status of this recommendation is now 'Implemented'.

We will publish this response on the ORR website on 22 August 2014.

Yours Sincerely,

Chris O'Doherty

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

Recommendation 1

The purpose of recommendation 1 is for Network Rail, in partnership with relevant train operating companies, to make improvements to the assessment of DOO [Driver Only Operation] train dispatch arrangements at unstaffed platforms.

The assessment should consider the equipment provided and the way in which it is used the involvement of both infrastructure owner and train operator is necessary in order to obtain the maximum benefit from such an exercise.

Network Rail should arrange, execute and accurately record, in partnership with relevant train operating companies, periodic assessments of the DOO equipment provided at unstaffed platforms, with particular reference to the quality of the interface between the equipment provided and the way in which it is used.

Brief Summary on what was previously reported to RAIB on 27 February 2013

1. The requirements of NR/L2/TEL/30072 [Specification for the Maintenance of DOO(P) CCTV, Guard-Assisted CCTV and DOO Mirror Systems] were being undertaken, including cab rides. Inclusion of the word 'Mirror' will be made to Annex D of NR/L2/TEL/30072.

Update

2. ORR met with Network Rail on 24 February 2014 and it was agreed that:

- NR/L2/TEL/30072 does outline a system which can, in partnership with train operating companies deliver periodic DOO equipment assessments at platforms, including unstaffed platforms.
- The wording of the standard could be enhanced but it essentially does the job it is meant to do. Any minor enhancements to the wording of the standard need not be seen as vital to complying with this recommendation and can be dealt with in normal periodic review.
- ORR notes Network Rail's confirmation that the maintenance activities set out in the standard do appear on the Ellipse work bank.
- The only concern on implementation, though this is not explicitly highlighted in RAIB's report, is the breakdown in cab ride inspections undertaken by Network Rail technical staff.

There is 'certificate of authorisation of variation' to the NR/L2/TEL/30072 standard, which 'authorises' this work not being done, however it offers no good reason why. It was agreed that this needs to be remedied.

3. It was agreed that ORR will consider this recommendation to be implemented when it is confirmed that:

- Sufficient numbers of Network Rail technical staff are suitably trained and authorised to travel in driving cabs;
- A rolling programme of cab ride inspections, at suitable intervals, is drawn up. Inspection frequencies and timings should ensure that site visits take place at different times of the year and at different times of the day;
- All concerned are made aware that cab rides are to take place as a matter of routine; and
- Cab ride inspections have recommenced.

4. On 26 February 2014 Network Rail provided an update, in response to ORR's concerns, stating that:

A number of routes have continued to undertake cab rides to assess the DOO systems. Whilst there is limited positive reporting (limited to completion of the MST [Maintenance Scheduled Task] within Ellipse) any failures or faults are recorded using a Work Arising Identification Form (WAIF) and subsequently tasked and rectified.

The proposed way forward is to:

- *Withdraw the national derogation against NR/L2/TEL/30072 within 3 months.*
- *For those Routes that have not been undertaking cab rides, that these are scheduled to commence no later than the withdrawal of the derogation, but preferable as soon as practicable.*
- *Reviewing whether other Network Rail staff from within the Asset Management Team could undertake cab rides as part of Network Rail's asset assurance activities.*
- *To produce a template form to positively capture the findings of the cab ride. It is hoped in the short to medium term to convert this form into an electronic form that can be completed and distributed via a handheld electronic device.*

5. On 12 May 2014, Network Rail provided ORR with a copy of its 'Recommendation Owners' Form' which stated:

The requirements contained in Company Standard NR/L2/TEL/30072 (including the DOO Cab Rides) have now been in Network Rail's work scheduling system (Ellipse). Each site requiring assessment is now scheduled and resourced at a regular frequency.

All Route Communication Engineers (RCE) have confirmed that where Driver Only Operation (DOO) CCTV is in operation, the requirements of NR/L2/TEL/30072 are being undertaken, including cab rides.

Compliance is being achieved using a mixture of scheduled service trains and specific test trains. Occasionally re-planning of work is necessary to fit in with availability of appropriate trains and this is managed within the Ellipse system.

Any defects or non-compliances issued identified during the cab ride are recorded using a Work Arising Identification Form (WAIF) and managed within the Ellipse System.

Therefore with all of the above confirmed, Network Rail no longer requires the National Derogation (TRACKER reference number 8812) against NR/L2/TEL/30072 Maintenance of DOO(P) and Guard assisted CCTV and DOO Mirror Systems. This will be withdrawn by 30 June 2014.

ORR Decision

6. Having considered the additional response and having examined the material provided by Network Rail 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 implement it.

Status: *Implemented.*