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21 August 2018



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

Dear Andrew,

RAIB Report: Track worker struck by a train at Cheshunt Junction, 30 March 2010

I write to provide an update¹ on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 23 March 2011.

The annex to this letter provides details of the action taken regarding the recommendation, the status of which is now '**Implemented**'. We do not propose to take any further action in respect of the recommendation, unless we become aware that any of the information provided becomes inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 22 August 2018.

Yours sincerely,



Oliver Stewart

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

Recommendation 2

The intention of this recommendation is to address the concern that extended sighting times, and consequent early warnings from lookouts, can cause staff to react with less urgency to initial warnings or to adopt unauthorised systems of work.

Network Rail should evaluate the behaviour of staff working on the track at locations with extended sighting times. The objective of this evaluation shall be:

- a) to understand the methods adopted by track workers at such locations;
- b) to assess the risk introduced by extended warning times;
- c) to assess the risk introduced by any alternative working practices that may be identified by staff; and
- d) to consider the need for additional guidance to the COSS and other safety critical staff.

Based on its understanding of current behaviour gained from this evaluation, Network Rail should establish a safe system of work to cover activities at locations with extended sighting times (paragraph 136).

ORR decision

1. Since the recommendation was reopened in 2015, Network Rail have revised their standard for people working on or near the line that is open to traffic ('019') as part of the Planning and Delivering Safe Work (PDSW) initiative. The changes made should improve the quality and availability of information about particular locations to staff planning safe systems of work, including where to locate lookouts.

2. ORR will monitoring implementation of the revised 019 standard through our usual inspection work.

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
- has taken action to implement it.

Status: Implemented.

Previously reported to RAIB

4. Recommendation 2 was previously reported as Implemented, however the status of Rec 2 was changed to 'Progressing' on 1 April 2015 and RAIB were advised of this by e-mail. Network Rail re-opened the recommendation on the grounds that RAIB's Hest Bank investigation highlighted the fact that Network Rail had not delivered what it had promised.

Update

5. Following timescale extensions, Network Rail provided closure statement on 9 January 2018 containing the following summary:

Since the previous response to this recommendation which was back in July 2015:

- *NR has also moved forward with Planning and Delivery of Safe Work (PDSW) , the introduction of Safe Work Leader (SWL) where endorsed by NR Routes and Infrastructure Projects (IP), and the improvements to NR/L2/OHS/019 safety of people at work on or near the line.*
- *NR has also moved forward with, non- technical skills evaluations for COSS and Lookouts, this forms part of the prerequisite requirements to undertake the courses. Why? It allows the staff manager the opportunity to check that they have selected the correct type of staff member for the arduous tasks as Lookout and COSS. A questionnaire is completed prior to attending the course from ORACLE E-learning.*
- *The previous proposal to use trigger points has not been considered further by NR, as it could introduce further risks to the workgroup if the Lookout does not call the train as soon as it comes into sight. As per their training and correct positioning for sighting and warning times.*
- *COSS and SWL are expected to utilise land marks around the infrastructure and laser pointers if required to establish the most accurate positioning of a Lookout to give the maximum available warning time to the groups depending on line speed, with the Lookout in a position of safety.*
- *The sighting distance charts are available in GE/RT8000 HB07 & HB 08 which give the minimum sighting distance to give the maximum warning time to the group.*
- *Lookouts duties are described in GE/RT8000 HB03 section 3 & 4 and require the lookout to immediately give the agreed warning as soon as they see the train approach or have received a warning signal from a distant or intermediate lookout.*

Training material linked to Trackside workers is being reviewed as part of NR Workforce and Training department's ongoing improvements. Workshops have already been held to discuss improvements to COSS, the separation of Lookout and Site Warden into individual courses.

The improvements to the Safe Systems of Work planning have been established and are implemented route wide. The introduction of a Person in charge (PIC) for each working group who understands the task risk as well as the level of SSOW and their involvement in the planning will improve staff safety on site. All SSOW utilise the most appropriate method of staff protection either protection (old Green Zone) or Warning (old Red Zone) using the risk

calculator and the engagement of the PIC the planner has available the best tools to plan the most appropriate SSOW.

NR has also moved forward with planning and utilising better Line blockages (LB's), improved working practices with ops and trackworker teams to find the gaps in service that work with the timescales for the activity to book a LB, that will more than likely be granted and used rather than just in case filling up the system with LB requests, which frees up the system allocation to those who really need it and reduces the need to work warning svstem (Red Zone).

Previously reported to RAIB

Recommendation 2

1. ORR wrote to RAIB on 27 February 2013 to report recommendation 2 as implemented. The justification given at the time was:

ORR is content with Network Rail's actions and will check that lookouts are now adequately aware of the need for suitable trigger points for long sighting distances and the risk effectively managed. If in doing so we become aware of an inaccuracy in what we've reported we will write to RASIB again.

2. Although recommendation 2 was previously reported as Implemented, the status of the recommendation was changed to 'Progressing' on 1 April 2015 and RAIB were advised of this by e-mail. Network Rail re-opened the recommendation on the grounds that RAIB's Hest Bank investigation highlighted the fact that Network Rail had not delivered what it had promised.