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26 April 2017



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

Dear Andrew,

**RAIB Report: Fatal accident at Frampton level crossing, 11 May 2014**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendation 5 addressed to ORR in the above report, published on 28 May 2015.

The annex to this letter provides details of the action taken regarding this recommendation, the status of which is now '**Implemented**'. We do not propose to take any further action in respect of this 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 27 April 2017.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Stewart', written in a cursive style.

Oliver Stewart

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

## Recommendation 5

*This recommendation is intended to ensure that level crossing risk is managed with an adequate understanding of actual crossing usage.*

Network Rail should modify its procedures, guidance and/or training in order to obtain, where reasonably practicable, an improved understanding of actual crossing use (eg use of bridleway crossings by motorcyclists), and take action to ensure it adequately controls the associated risks. This should include considering use of social media (eg videos uploaded to internet sites), evening and/or weekend site visits to identify recreational use of the crossing, and the use of surveillance equipment.

### ORR decision

1. Network Rail has taken steps to improve their understanding of level crossing usage and how to make better use of the intelligence they gather. Measures taken include issuing revised guidance on censuses to level crossing managers (Level Crossing Guidance Document LCG02 'Census Good Practice' issue 2). An increased number of level crossing risk assessments are now based on a 24 hour census of crossing usage.
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
  - has taken action to implement.

***Status: Implemented.***

### Previously reported to RAIB

3. In its response of 7 December 2015 Network Rail provided the following information:

*There are two elements to this recommendation. The first element is regarding Network Rail modifying its procedures, guidance and training to obtain an improved understanding of actual crossing use.*

*The second element of the recommendation is about improving our procedures, guidance and training to control the risks identified by the greater level of intelligence.*

#### Element 1

*The first element to this recommendation has already been implemented. Network Rail, along with colleagues at the ORR, have recognised that greater intelligence is needed in understanding how level crossings are being used, including numbers of users, times of day/days of the week crossings are used, user groups, human factors and behaviours etc. Actions have been taken accordingly and incorporated into our business as usual processes including;*

- *Route teams have been issued with 236 cameras and 121 gate counters to obtain a much more accurate understanding about how their crossings are being used. This information feeds into the business as usual risk assessment process. This has resulted in 1,030 level crossing risk assessments that are now based on 24 hour extended census rather than estimated or quick (30 minute) census. This is a significant increase.*
- *Improved guidance has been issued covering; site visits, census gathering, using 'smart' sources of information and stakeholder engagement to improve level crossing risk assessments.*

### Element 2

*Network Rail has improved the organisational capability to manage risk at level crossings through the introduction of Level Crossing Managers. We have improved the training and competence regime for the LCMs so that they better recognise human factors prevalent at level crossings. We have introduced Narrative Risk Assessments which give a better balance of risk modelling and structured expert judgement/local knowledge. This NRA framework also improves content and consistency of risk assessments and leads to set conclusions and recommendations.*

*However, Network Rail agree that there is an opportunity to improve guidance issued to the routes about the actions that should be taken to address risks identified through the greater level of intelligence. The Central Level Crossing Team will develop some additional guidance to highlight the type of actions that might be necessary based on intelligence gleaned during the risk assessment process or from subsequent intelligence reports from third parties, TOCs, rail staff etc.*

*This guidance will be implemented by 31 December 2015.*

4. On 26 January 2016, in response to ORR's request for an update specifically addressing consideration of the use of social media, Network Rail submitted the following response:

*Network Rail acknowledges that the action plan provided in the formal response to the recommendation does not specifically refer to the use of social media. The guidance referred to in 'element 2' of the action plan, which will feature within a revision of the Census Good Practice guide, will*

*reflect greater the opportunity for using social media as a mechanism for improved intelligence about crossing usage.*

5. The section in the Census Good Practice guide related to social media states:

*Social media sites – intelligence relating to the use of level crossing might be available from social media channels such as: Facebook, YouTube, Twitter and Instagram. Individuals and organisations often promote activities via these network channels. Intelligence might include posts on forthcoming organised events within the locality, video footage or images of actual crossing use (including unauthorised or risk taking activity) and/or highlight trends in use or frequencies of use including use by an unknown user demographic.*

### **Update**

6. Following a further timescale extension to 31 August 2016, on 14 November 2016 Network Rail provided a closure statement containing the following information:

*With the release of issue 2 of LCG02, in addition to existing guidance and adopted protocols, the use of technology and intelligent sources which are embraced within the business as standard practice to determine level crossing usage, users and patterns of use, NR is content that actions are in place to address the recommendation intent.*