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16 June 2017



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

Dear Andrew,

**RAIB Report: Near miss involving track workers near Hest Bank, Lancashire,
22 September 2014**

I write to provide an update¹ on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 16 July 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 26 June 2017.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Stewart', with a stylized flourish at the end.

Oliver Stewart

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

Recommendation 2

The intent of this recommendation is to ensure that LOWS is appropriately positioned within the safe system of work hierarchy, taking account of engineered solutions available to mitigate the risk of a single point of failure due to complete reliance on the action of one lookout.

Network Rail should reassess the safe system of work hierarchy, taking account of evidence from LOWS related incidents and the risk associated with using unassisted (flag) lookouts. If justified by the results of current tests of Semi-Automatic Track Warning Systems, where workforce warnings are initiated using automatic train detection, Network Rail should include such equipment within the hierarchy. If appropriate, Network Rail should specify any circumstances in which this should be used in preference to LOWS

ORR decision

1. Network Rail has reviewed the safe system of work hierarchy in the standard NR/L2/OHS/019 – Safety of People Working On or Near the Line so it now includes Semi-Automatic Track Warning Systems (SATWS). The revised standard includes a requirement to plan in breaks and task rotation for Un-assisted Lookout duties.
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 it.

Status: Implemented.

Previously reported to RAIB

1. On 7 April 2016 ORR reported that the response from Network Rail was reasonable, in that the safe working methods hierarchy had been reassessed and the relative merits of Semi-Automatic Train Warning System (SATWS) were planned to be briefed to staff by the end of March 2016. However, we were disappointed that the introduction of SATWS and other available systems, was taking longer than desirable. Network Rail were expected to implement the recommendation by 31 January 2017

Update

3. On 19 April 2017 Network Rail provided a closure statement containing the following information:

Network Rail has formally introduced Semi-Automatic Track Warning Systems (SATWS) into the standard NR/L2/OHS/019, Safety of people at work on or near the line (see figure 1 attached, and refer to page 20 of Issue 09, NR/L2/OHS/019). The SATWS process has been product approved by the Network Rail Engineering Department and is available for the industry to use as part of their safe systems of work when working trackside/on or near the

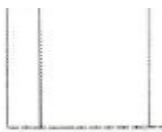
line. We have drawn a distinction between permanent SATWS (units that is a fixed asset with a permanent power source) and portable SATWS (units that would be planned for installation for a

particular period of time, but less than 6 months).

During the revision of NR/L2/OHS/019 we have also included a requirement to plan in breaks and task rotation for Un-assisted Lookout duties (flag lookout).

Prioritisation and the allocation of both safe systems of work (LOWs and SATWS) according to geographic location risk and task risks shall be evaluated as the new hierarchy is implemented across organisations. Specifically for cyclical and repeated tasks they shall be reviewed every 6 months by a "responsible manager" in consultation with a person in charge (see figure 3 attached).

4. Network Rail provided an extract from NR/L2/OHS/019 showing the hierarchy of safe systems of work (fig 1):



5. NR/L2/OHS/019 also includes a requirement to plan in breaks and task rotation for Un-assisted Lookout duties (fig 2):

NOTE: The purpose of
remain engaged with a
performance.

6. Guidance has also been included for managers when allocating cyclical and repeated tasks (fig 3):

a) twelve month
b) six month pe
NOTE: Cyclical SWPS
difference is cyclical SL

