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13 October 2014

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

Dear Carolyn,

**RAIB Report: Derailment in Summit tunnel, near Todmorden, West Yorkshire,
28 December 2010**

I write to provide an update¹ on the action being taken in respect of recommendations 2, 3 and 4 addressed to ORR in the above report, published on 29 September 2011.

The annex to this letter provides details of the action being taken:

- The status of recommendations 2, 3 and 4 is 'Implementation on-going'. ORR will continue to engage with Network Rail to resolve ORR's concerns.

We will publish this response on the ORR website on 31 October 2014.

Yours Sincerely,

Chris O'Doherty

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

Recommendations 2, 3 and 4

1. Recommendation 2: Network Rail should identify the structures... where passengers or staff might be put at risk when train services are resumed following an extended cessation of traffic during, or following periods of extreme weather... Network Rail should then put in place procedures that result in checks that it is safe for trains to operate at the permitted line speed over or through these structures before resuming the train service.
2. Recommendation 3: Network Rail should review and implement changes to its weather management processes to take into account the potential hazards created by extreme cold weather events and subsequent thaw conditions.
3. Recommendation 4: Network Rail should provide training and information to its staff on carrying out the inspections of those structures which are at risk from ice in extreme cold weather. The training and information should include guidance on managing the hazards to staff while carrying out these inspections.

Brief Summary on what was previously reported to RAIB

4. On 17 August 2012 we reported that Network Rail was taking action to implement the recommendations. Details are in Annex B of this letter for reference.

Update

5. On 12 November 2013, Network Rail stated that:

*The response to **recommendation 4** refers to improved processes being implemented to address Summit Tunnel **recommendations 2 & 3**.*

Network Rail has published a 'Letter of Instruction' to implement the necessary changes to the applicable standards and detailed this in the Network Rail closure statements for recommendations 2 & 3.

Published Letter of Instruction number: [NR/BS/LI/292 (Issue date: 18 July 2013, Compliance date: 30 November 2013)] standard NR/L3/TRK/1010: The EWAT agenda held within the 365 Weather Management Manual for an extreme weather event relating to cold temperatures/ ice & snow has been revised mandating the presence of Structures Asset Management for cold weather events.

6. In reviewing the letter of instruction ORR concluded that it was not clearly evident to how each bullet point cited in Network Rail's response of 13 March 2012 had been addressed. ORR therefore required Network Rail to explain:

- If TWI 3G024 has been amended or if other measures have been taken to achieve the same objective. If TWI 3G024 has been amended please provide a copy; and
- How each bullet point in Network Rail's, 13 March 2012, response said would be incorporated in revised standard NR/L3/TRK/1010 had been addressed and where it could be found.

7. On 11 December 2013 Network Rail stated that:

a) Track Work Instruction 3G024 has not been amended. TWI 3G024 is concerned predominantly with raising awareness of the risks to staff safety when working on the railway in exceptionally cold weather. Upon review, Network Rail did not consider TWI 3G024 as the most appropriate place to provide further information on the risks

associated with ice build-up within tunnels and tunnel shafts. The specific risks associated with ice build-up in tunnels should be documented within the individual Tunnel Management Strategy as required by RT/CE/S/084 Management of Existing Tunnels.

b) It was also not considered necessary to duplicate the bullet points for the Tunnel Ice Risk Assessment within Standard NR/L3/TRK/1010. Tunnel Ice Risk Assessments incorporating the information within the bullet points should form a part of the Tunnel Management Strategy for 'at-risk' structures.

The intent of recommendations 2 and 3 are covered by the Letter of Instruction NR/BS/LI/292 which has been issued to clarify existing procedures in light of the Summit Tunnel incident:

- The Extreme Weather Plan is to consider extreme cold and subsequent thaw conditions.*
- Extreme Weather Plans should consult the Tunnel Management Strategy to establish what actions are to be taken following an extreme weather event.*
- The National Tunnel Ice Risk Assessment should be consulted to identify 'at-risk' assets.*

8. On 7 July 2014, ORR met with to discuss the actions being taken by Network Rail to address recommendations: 2, 3 and 4, as ORR did not believe it was in a position to draw any conclusions from the information provided by Network Rail on whether or not Network Rail had implemented the recommendations. On 14 August 2014, Network Rail provided the updates detailed below.

Recommendation 2

Network Rail has identified the structures where passengers or staff might be put at risk when train services are resumed following an extended cessation of traffic during, or following, periods of extreme weather. The attached "At Risk Register" contains this list.

Network Rail has enhanced its Extreme Weather Action Team (EWAT) meeting agenda. The enhanced agenda requires that checks are made to ensure that it is safe for trains to operate at the permitted line speed over or through these structures before resuming the train service.

ORR Decision

9. Network Rail only provided data for one Route (Anglia), and have not therefore demonstrated that this information exists nationally. Furthermore, the Risk Register provided does not show any tunnels, or any other structures which are "at risk" in terms of ice fall; "Ice" does not appear in the risk headings; the nearest is "frost / snowfall", which could be construed as covering the Summit type of risk although this description would not necessarily prompt the Summit Tunnel ice scenario.

10. Recommendation 2 also specifically refers to risk: '*...following an extended cessation of traffic during, or following, periods of extreme weather*, but there is no such distinction in the risk register.

11. The sample EWAT agenda provided does not make any explicit provision for the checks mandated by this recommendation to be carried out. Those should be in the risk assessment we are still waiting for.

12. After reviewing all the information received from 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
- is taking action to implement it.

Status: Implementation on-going. ORR will continue to engage with Network Rail to resolve ORR's concerns. ORR will specifically ask for a copy of the Risk Register that contains Summit Tunnel.

Recommendation 3

Network Rail has reviewed its weather management processes to take into account the potential hazards created by extreme cold weather events and subsequent thaw conditions. The identified changes to the processes have been implemented via Letter of Instruction NR/BS/LI/292 which updates existing standard NR/L3/TRK/1010 with the enhanced procedures, (copy attached).

The Letter of Instruction was distributed to the RAMS via email for onward briefing on 18 July 2013, (copy of email attached).

Guidance note 2013-GN-003-SUM-Rev1 was also issued via email to the RAMS on 18 July 2013 explaining the reasons for the Letter of Instruction and the changes to the EWAT agenda.

ORR Decision

13. Network Rail has provided evidence that they have changed their Standards (by means of the letter of instruction) and that these changes have been briefed to RAMs. However, they have not yet provided evidence that the processes mandated by those standards (such as local Extreme Weather Plans and Tunnel Management Strategies) have been updated accordingly. Further evidence will be sought, on a sample basis, to verify that these changes have been made. After reviewing all the information received from 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
- is taking action to implement it.

Status: Implementation on-going ORR will continue to engage with Network Rail to resolve ORR's concerns.

Recommendation 4

Network Rail has produced "Notes for Guidance for competent persons inspecting 'At Risk' sites in extreme weather", (copy attached). This guidance was issued to Maintenance staff who carry out inspections of structures at times of adverse and extreme weather. The information includes tables designed to provide guidance to staff when a problem is found. The role of Maintenance teams is to look for ice build-

up at risk sites identified in the extreme weather plan only and to report back and that any specific actions beyond this are to be carried out by competent contractors from an approved list of suppliers.

Personal Safety of Maintenance staff during inspections is covered by Track Work Instruction 3G024, (copy attached).

ORR Decision

14. Network Rail has provided evidence of improved information “Notes for Guidance for competent persons inspecting ‘At Risk’ sites in extreme weather” and that it has been made available, but has not provided any evidence of how and to whom this information has been distributed, or of what training has been given on these issues.

15. The recommendation requires that the training and information should include guidance on managing the hazards to staff while carrying out these inspections, but there is very little specific information on this in the documents provided.

16. After reviewing all the information received from 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
- is taking action to implement it.

Status: Implementation on-going. ORR will continue to engage with Network Rail and will update RAIB by 30 January 2015.

Attachments

1. Typical EWP “At-Risk” Register Anglia
2. Revised EWAT Agenda (page 20 of 24)
3. Letter of Instruction NR/BS/LI/292
4. Email dated 18/07/13 confirming distribution of Letter of Instruction 292 to RAMS
5. Guidance note 2013-GN-003-SUM-Rev1
6. Notes for Guidance for competent persons inspecting ‘At Risk’ sites in extreme weather
7. TWI 3G024

 NR_BS_LI_292.pdf	 Notes for guidance for competent person	 LoI 292 briefing email.pdf	 EWAT Agenda.pdf
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 B&C At Risk Register - Anglia v1 270510.xl	 2013-GN-003-SUM-R ev1.pdf	 TWI3G024.pdf
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