



Railway Industry Health and Safety Advisory Committee (RIHSAC)

Minutes of the 111th RIHSAC Meeting

Tuesday 15 January 2019

Room 2, One Kemble Street, London

Present:

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| Justin McCracken | ORR |
| Ian Prosser | ORR |
| Jen Ablitt | ORR |
| Tracy Phillips | ORR |
| Dan Brown | ORR (for item 2) |
| Ian Skinner | ORR (for item 6) |
| Anna O'Connor | ORR (for item 7) |
| Martin Jones | ORR (for item 8) |
| Ben Watkins | ORR (for item 8) |
| Mark Ashmore | UK Trams |
| John Cartledge | Co-opted (passenger interest) |
| David Clarke | RIAGB |
| Paul Clyndes | RMT |
| John Collins | Angel Trains |
| Jill Collis | TfL |
| Marcus Dacre | RSSB |
| Mark Gaynor | RDG |
| Bill Hillier | HRA |
| Mick Holder | ASLEF |
| Rob Miguel | Unite the Union |
| Trevor Rosenberg | London Travelwatch-Transport Focus |
| Allan Spence | Network Rail |
| David Porter | IOSH |
| Alistair Young | Transport Scotland |
| Jason Connelly | Transport Scotland |

Item one: Welcome, introductions, apologies for absence and safety moment

1. Justin McCracken welcomed everyone to the meeting and noted that Marcus Dacre attended in the place of Ann Mills for RSSB, Trevor Rosenberg in place of Tim Bellenger for London TravelWatch/Transport Focus, Allan Spence in place of Lisbeth Fromling for Network Rail and Mark Gaynor for RDG. Apologies had been

received from Andrew Knight and Nisa Carey (BTP), David Davies (PACTS), Gary McKenna (Department for Infrastructure, NI) and Steve Coe (TSSA).

2. RIHSAC reviewed and accepted the minutes and actions arising from the 16 October 2018 meeting. Paragraph 11 would be amended to add the word “request” between “John Cartledge’s” and “RIHSAC”.

Action 111.1 – RIHSAC secretary to amend the 16 October meeting minutes to add the word “request” to paragraph 11.

3. Tracy Phillips provided verbal updates on the actions:
 - o Action 110.1 – it was confirmed that “PTI strategy” had been added to the forward programme.
 - o Action 110.2 - the proposed meeting to discuss the leadership and culture Strategic Risk Chapter and the roll out programme for the revised *Taking safe decisions* was now scheduled for March between Jen Ablitt, David Porter, David Griffin and George Bearfield’s replacement (both RSSB).
 - o Not a specific action in the previous minutes, but Rob Miguel and Claire Dickinson had a meeting arranged for 16 January to discuss the scope to deliver training on fatigue management (paragraph 36 of previous minutes refers).
4. For the safety moment Mick Holder expressed his concern regarding the increase in the number of incidents involving knives at or near stations. Members agreed this was concerning, but commended the speed with which BTP had apprehended an individual recently, and reflected that we all needed to be vigilant.

Item two: Recommendations arising from the Inquiry into the Timetabling Disruption

5. Dan Brown referred to the extract from the Final Report into the Timetabling Inquiry which had been distributed to RIHSAC members ahead of the meeting (*available on the ORR website*). He provided an overview of the recommendations which were directed at three groups - DfT as owner of the relevant government frameworks within which Network Rail and the train companies were operating, Network Rail as System Operator responsible for the process to deliver the timetable and, ORR which also had a role. There were also two other formal investigations ongoing, one each into the conduct of GTR and Northern in relation to their licence obligations.
6. John Cartledge asked what health and safety consequences RIHSAC should be aware of and Dan Brown stated that, whilst the Inquiry did not have an acute health and safety focus, the knock on effect of managing PTI and crowding were issues. Ian Prosser shared that Northern and GTR’s disruption stemmed from different causes – Northern’s was as a result of late infrastructure projects and GTR’s from timetable planning and driver training and contingency issues. ORR would be keeping a closer eye on a contingency for driver deployment; accurate and timely passenger information was also key.

7. Mark Gaynor enquired how well industry was responding and whether there were improvements at the point of the December 2018 timetable changes. Dan Brown shared that whilst Network Rail had made some swift changes as a result of the Inquiry, the 2019 May and December timetable changes would be the test of how effective those and other changes have been. ORR would be closely scrutinising the process, including the introduction of new fleets. Ian Prosser mentioned an RDG workshop, the focus of which was to promote close working with the sector on the speed of introduction of new fleets and services.
8. David Porter was unclear on how, if the Inquiry had found that there was system risk, recommendations aimed at DfT would build in safety? Ian Prosser clarified that ORR's role had shifted on Safety by Design and - as DfT doesn't actually build anything – ORR would work with those defining the requirements for trains and infrastructure to ensure they met the legal requirements to reduce/eliminate risk at source and to introduce new kit in a safe manner. David Porter was concerned that asset life might be pushed beyond what was safe. Ian Prosser assured RIHSAC that ORR pushed hard for core funding in CP6 to retain and renew the railway and had scrutinised route plans. A strong settlement had been secured and ORR would be monitoring on a route basis to ensure plans were delivered effectively.
9. Ian Prosser agreed with Mick Holder that driver training programmes must not be truncated in order to meet deadlines for the introduction of new fleets and that this must include time in actual cabs and not just through simulators.

Item three: HSRC update

10. Justin McCracken provided an update from the 10 December HSRC meeting. Nigel Holness from LUL had presented with a good focus and discussion on PTI, management competence, near miss reporting, slip/trips and suicide prevention. LUL had outlined ambitious plans for continuous improvement towards a vision of no fatalities. Some figures were presented comparing performance in the sector with others but some clarification on these was awaited [*post meeting note – now received*]. HSRC had stressed the importance of financial pressures not being allowed to compromise health and safety improvements. Justin McCracken suggested Mark Gaynor speak with Jill Collis on the subject of how LUL's safety record could provide learning on how to continuously improve safety on the mainline railway and Jill advised that there were several RSSB groups of this nature. Ian Prosser also thought there were lessons for the mainline in relation to worker safety as LUL had not had a worker fatality in over twenty years.
11. Jen Ablitt had also presented at December HSRC on how ORR could improve its use of data. The project was also considering what was out there by way of "big data" and artificial intelligence and how ORR might use new and different techniques to source, mine and utilise data.

Item four: Chief Inspectors update

12. Ian Prosser advised RIHSAC that the Industry Health and Safety Meeting took place twice a year and the last meeting was on 22 November 2018. It was run by

RDG supported by RSSB, and was a collaboration of leaders from across the industry to help drive the strategy for *Leading Health and Safety on Britain's railways*. The trades unions had been invited.

13. There had been a lot of discussion at the meeting around the use of technology and how it could reduce risk but, if introduced poorly, might increase risk. Safety performance had plateaued recently and the system was showing sign of stress. Communication, collaboration and co-operation between all parties was key to turning this around. Improved data would help identify the weak signals in order to predict what might occur and put preventative measures in place, particularly in relation to low frequency/high impact events.
14. The meeting considered where track and train operators needed to work better together – on SPADs, new trains (to meet operational interface needs), on PTI, on the use of yellow lines on platforms using risk assessment for their placement and ensuring their ongoing maintenance, trespass hotspots, self-evacuation from trains and safety critical communications.
15. Ian Prosser brought members' attention to a range of ORR open consultations that may be of interest, including ones on revisions to RM3, Network Rail's licence, complaints handling, train driver licence suspension and withdrawal guidance and improving assisted travel.
16. He also advised members that ORR was currently working with Network Rail and the Samaritans on the *Million Hours Challenge* which was due to launch in Spring 2019 and promoted volunteering to help the work of the Samaritans in a number of ways.
17. Mick Holder agreed that PTI risk from crowding was becoming an increasingly important issue and stressed the importance of involving trades unions at the point that redesigns or changes are being thought about, including consulting early with train drivers rather than once plans have been finalised. He highlighted the positive impact this engagement had had in relation to the Hitachi trains.
18. John Cartledge welcomed the inclusion of self-evacuation in the discussions and questioned how effectively the guidance on this was working in practice, in the light of a number of recent incidents including those on Southeastern during the "Beast from the East." He felt that there was still much that mainline operators could learn from LUL's experience in this respect.
19. Allan Spence welcomed Ian's huge support for the Million Hours Challenge and noted that there had been a slow uptake of some of the pilot work, stressing that it was important to get the whole industry behind it. He also supported the comments made on managing the PTI, agreeing that there were straightforward things that could be done on train dispatch and that a single approach to the use of yellow lines would be helpful.

Item five: Outcomes from the annual risk review and priorities for the 19/20 planning year

20. Ian Prosser referred to the presentation distributed to RIHSAC members ahead of the meeting (*available on the ORR website*). Paul Clyndes agreed with Ian Prosser that progress was needed on track worker safety, adding that fatigue and road driving risk also played a major part in in mainline rail, which LUL did not have to contend with. Ian Prosser confirmed that fatigue was in work plans and that more opportunities needed to be found to take people away from moving trains, including reviewing red zone working.
21. Anna O'Connor added that as part of the risk ranking exercise ORR also took into account what the industry was doing and Network Rail had a lot of initiatives on road driving risk for example. Allan Spence confirmed that Network Rail's fatigue programme was running to the expected timetable but not at the pace that he would like.

Item six: Strategic Risk Chapter on Trams

22. Ian Skinner invited comments from RIHSAC members on the draft strategic chapter for health and safety regulation of the tram sector distributed to RIHSAC members ahead of the meeting (*available on the ORR website*). He explained that he considered there was a need to have a discrete chapter because the operation of a tram was fundamentally different to the rest of the railway systems in GB i.e. it relied on line of sight.
23. John Cartledge commented on the draft chapter's reference to the (in)appropriateness of importing heavy rail solutions to light rail and agreed it was important to understand the risk and make risk based decisions. Ian Skinner confirmed that the Light Rail Safety and Standards Board was tasked with deriving learning across the sector and promoting the better sharing of information.
24. Bill Hillier questioned whether heritage tram systems would be covered and Ian Skinner advised that the paper was aimed specifically at second generation (i.e. modern) tram systems.
25. Mick Holder was not comfortable with the expression "buses on rails" that Ian Skinner had used and believed that promulgating the view that trams were buses ran the risk of appropriate controls not being put in place. Ian Skinner clarified that it was about a tram's principle of operation and to understand and manage the risk associated with that. Justin McCracken stressed that it was important that language was used carefully and David Porter thought that the characterisation of a tram might be too simple and there was more complexity to it. David Clarke agreed that you cannot rigidly categorise and the language used in the chapter needed to bring out the risks associated with each system.
26. Ian Skinner explained that his reference to trams being "pedestrian friendly" related to some features designed to reduce the risk of injury from contact with a tram. For example, Blackpool Trams were trialing obstacle detection. There was also discussion around the risks from wheels of cycles etc, getting stuck in tracks and

Ian Skinner confirmed that the sector had been unable to find an engineering solution so far.

27. Justin McCracken invited members to provide any further comments on the draft chapter to Ian Skinner outside of the meeting.

Item seven: Improving control of risk and legal compliance on NR electrical infrastructure

28. Anna O'Connor referred to the papers distributed to RIHSAC members ahead of the meeting and provided a presentation outlining the purpose and progress made to date (*available on the ORR website*), inviting RIHSAC members' comments or questions. Justin McCracken added that the focus of ORR's work had been to improve compliance and levels of safety, noting the considerable challenges as outlined in the papers.
29. Paul Clyndes expressed his view that the approach was slanted towards improving access not safety and thought that Network Rail could engage more with the trades unions on electrical safety, including safe working distances.
30. Anna O'Connor responded to John Cartledge that, whilst Network Rail was not the only network operator with electrical safety challenges, its were particularly significant. Ian Prosser confirmed that Crossrail and HS2 would be fully compliant in response to Bill Hillier's question.
31. Anna O'Connor agreed to develop the document further and send to RIHSAC members for consultation. She would include timescales for comment.

Action 111.2 – Anna O'Connor to send the ORR electrical safety policy document to RIHSAC members for comments once ready.

Item eight: Brexit Implications

32. Martin Jones provided an overview of the papers distributed to RIHSAC members ahead of the meeting detailing ORRs overall objective in relation to Brexit, outlining short, medium and long term considerations and anticipating different scenarios of Deal and No Deal Brexit. The main message to take away remained that the threat was to mutual recognition rather than safety.
33. Due to lack of time, RIHSAC members were asked to email Martin Jones or Tracy Philips should they have any questions or queries.

Item nine: Forward Plan and Meeting review

34. Tracy Philips advised members that Simon French was now confirmed as attending the next RIHSAC. David Porter had made some suggestions for items and how the agendas could be improved by adding a purpose for each item and these would be taken forward.
35. Allan Spence brought members attention to Network Rail's *Stay safe with Thomas*.

36. Bill Hillier fed back that due to the poor acoustics of the room, hearing everyone had proved to be a challenge and asked members to speak louder.

37. The Chair noted that Savita Pindoria would be leaving ORR shortly and thanked her for all her organisation in relation to RIHSAC meetings over the last year or so.

Next meeting scheduled for 2 April 2019.

Glossary of abbreviations

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| ASLEF | Associated Society of Locomotive Engineers and Firemen |
| COSHH | Control of Substances Hazardous to Health Regulations |
| CP | Control period |
| DfT | Department for Transport |
| DRDNI | Department of Regional Development (NI) – name changed |
| GDPR | General Data Protection Regulations |
| HMRI | Her Majesty's Railway Inspectorate |
| HS2 | High speed 2 |
| HSRC | Health & Safety Regulation Committee |
| IGC | Intergovernmental Commission (on the Channel Tunnel) |
| IOSH | Institution of Occupational Safety & Health |
| ISO | International Standards Organisation |
| LHSBR | Leading Health & Safety on Britain's Railways |
| LUL | London Underground Ltd |
| NI | Northern Ireland |
| ORR | Office of Rail and Road |
| OH | Occupational health |
| PACTS | Parliamentary Advisory Committee on Transport Safety |
| PPE | Personal protective equipment |
| PTI | Platform train interface |
| RAIB | Rail Accident Investigation Branch |
| RDG | Railway Development Group |
| RIHSAC | Rail Industry Health & Safety Advisory Committee |
| RM3 | Risk management maturity model |
| RMT | Rail Maritime & Transport Union |
| ROI | Republic of Ireland |
| RSD | Rail Safety Directorate (of ORR) |
| RSSB | Rail Safety & Standards Board |
| TSSA | Transport Salaried Staffs Association |
| TUC | Trades Union Congress |