



**Train Driving Licences
and Certificates
Regulations 2010: A
guide for train operators**

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Background

The Train Driving Licences and Certificates Regulations 2010 (TDLCR) give duties to a different organisations and people. We have produced a series of separate of guides to explain the duties and responsibilities arising from the TDLCR and how to take appropriate action. Together these guides form a complete set of guidance for all aspects of the TDLCR.

There are separate guides:

- for [train operators](#)
- to the [medical and occupational psychological fitness requirements for train drivers and the recognition process for doctors and psychologists](#)
- to [train driver training and examination requirements and recognition process](#)
- to [suspending or withdrawing a train driving licence](#)
- for [train drivers appealing against decisions made by their employer about the train driving certificate](#) issued to them

We have also published a [‘key facts’ leaflet for train drivers](#).

Following the guides above is not compulsory and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. ORR’s inspectors may check that you are complying with the law and may refer to this guidance as illustrating good practice.

We will regularly update these guides, and you can download the latest version of any of these guides from our [website](#).

1. Introduction

Summary

This guide is for railway undertakings or infrastructure managers who employ train drivers on the mainline railway and explains:

- Who the Train Driving Licences and Certificates Regulations 2010 (as amended) (TDLCR) apply to;
- What the train driving licence and certificate are;
- The responsibilities of the railway undertakings and infrastructure manager and;
- Who issues and enforces train driving licences.

[Please note that this document contains a number of references to the EU and EU-related legislation. Where necessary, this will be revisited following the UK's exit from the EU.]

Do TDLCR apply to the train drivers that I employ?

- 1.1 The TDLCR apply to railway undertakings and infrastructure managers who are required to hold a safety certificate or a safety authorisation under the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended) (ROGS). If this is the case, train operators **must** make sure that the drivers they employ to drive on the mainline railway meet the requirements of TDLCR.
- 1.2 We refer to railway undertakings and infrastructure managers who run trains as 'train operators' throughout this guide, other than where the requirement is on a specific person.
- 1.3 TDLCR **do not** apply to drivers employed to work:
- in engineering possessions;
 - on metros (for example, London Underground), tramways or other light rail systems;
 - on a railway we determine is excluded from the definition of "mainline railway" in accordance with regulation 2A of ROGS, in some circumstances including heritage operations taking place partly on the mainline railway; or
 - in depot operations (see below).

Regs
2 & 4

Depot operations and TDLCR

1.4 The TDLCR are not intended to apply to activities that occur within a depot. This includes activities that occur outside the boundary of the depot but which form part of the operations of that depot. These operations **must** have Network Rail's agreement to enter its infrastructure and must be under secure protection. Such operations do not require licences for shunters or depot drivers who:

- drive trains for the short distance to the first signal or junction head; or
- drive an empty passenger train to deliver it to a railway station which must not be more than 10 miles from the depot.

In either case the maximum speed must not exceed 50mph where the maximum permitted linespeed is higher.

1.5 The depot driver or shunter is still expected to meet the appropriate competency and fitness standards to carry out driving operations within the depot and the train operator is responsible for monitoring the depot driver's continued competence and fitness.

What are the train driving licence and certificate?

1.6 Under the TDLCR, a train operator must not deploy a train driver unless the driver holds a valid train driving licence and certificate which permits the holder to drive the type of rolling stock over the specific infrastructure they are being deployed on.

Regs 4
(1)&(2)

1.7 The train driving licence is **issued to the driver by ORR and is the personal property of the driver** until it expires, or is suspended or withdrawn. A valid train driving licence remains valid even when the driver changes employer. However, the presentation of a licence document by a driver to a new employer does not provide evidence of the licence's status and the train operator should contact us to check its validity.

Reg 6

1.8 The **licence** is issued by ORR or other National Safety Authority following an application from the driver or his employer including evidence that the applicant train driver has passed the necessary general professional competence, [occupational psychological fitness and medical examinations](#).

1.9 The **certificate** is issued to the train driver by the employing train operator once the driver has passed the necessary professional knowledge and competence examinations on the rolling stock and infrastructure they are expected to drive on. Although the train driver holds the certificate, the certificate is the property of the employer and the employer may refuse to renew or update a certificate, or may suspend or withdraw it. The driver may [appeal](#) against this decision.

Reg 7

What are my responsibilities as a train operator who employs train drivers?

1.10 If you are a train operator who employs drivers, you are responsible for:

- the selection and ongoing training, competence management and medical fitness of drivers you employ;
- issuing your drivers with a certificate that sets out the rolling stock they can drive, their infrastructure knowledge and their language skills and providing them with a certified copy of this document when they leave your employment;
- having a system for monitoring train drivers to check the requirements of the TDLCR are adhered to;
- keeping ORR informed promptly of changes to the driver's competence or fitness where they are relevant to the continuing validity of the licence (see also the guides to the [medical and occupational psychological fitness requirements](#); and [suspension & withdrawal of licences](#));
- giving written notice to ORR when a person ceases to be employed as a driver by you ;
- publishing on your website the procedures for obtaining a certificate; and
- having a register of the certificates you issue to your drivers (this may be an electronic register) and keeping this up to date.

What are my responsibilities as an infrastructure manager for operators using my infrastructure?

1.11 Infrastructure managers are not responsible for the licences and certificates of train drivers employed by others who use their infrastructure. The TDLCR allow for specific situations where a train driver need not be authorised by a certificate to drive on specific infrastructure **provided that the infrastructure manager in question is given prior notice**. The situations covered by this are set out in TDLCR and include:

- the re-routing of a train (as specified by the infrastructure manager) where there has been disruption to services;
- exceptional one-off services which use a historical train;
- exceptional one-off freight services agreed with the infrastructure manager;
- the delivery or demonstration of a new train, and
- services to enable the training or examination of a driver.

Except for the situation in the first bullet point above, the infrastructure manager must be given prior notice by a railway undertaking and the driver must be accompanied and

Regs
4(7) &
(8)

supervised by another train driver in the cab who holds a licence and a certificate for that specific infrastructure. “Prior notice” arrangements may be carried out on an ad hoc one-off basis or be dealt with under longer-term agreements between infrastructure managers and operators.

Who issues and enforces train driving licences?

1.12 ORR is the competent authority for train driver licensing and certification in Great Britain.

1.13 ORR is responsible for:

- issuing licences to drivers and keeping the national register of licences (including maintaining and updating the register where the train driver’s details change);
- inspecting and monitoring train operators’ arrangements for training, competence management and fitness of drivers;
- inspecting and monitoring train operators’ arrangements for making sure drivers are issued with, and carry the necessary documents and keep these up to date;
- suspending or withdrawing licences where the conditions for validity are not being met;
- hearing appeals from train drivers who have had their certificate suspended or withdrawn by a train operator or the train operators has refused to grant, update or renew a certificate; and
- maintaining the registers of [recognised doctors](#), [psychologists](#), examination centres and training centres. Only those on the registers may carry out, [training or examination of train drivers](#), or [medical and occupational psychological fitness examinations](#) for the purpose of the regulations (see other guides for more information).

1.14 We believe that the best way of ensuring the fitness and competence of drivers is through a train operators’ SMS. As such, we will generally be content to issue licences on the basis of evidence supplied by train operators in support of driver licence applications. We will ensure through our separate safety certification and inspection of SMS’s that train operators’ arrangements for competence and fitness are adequate and in this way assure ourselves that the information these employers provide is reliable and accurate.

1.15 We keep the information on drivers in the national register of licences secure and only their employers, ORR, the European Union Agency for Railways and other National Safety Authorities will be able to see this information on request. Drivers may also request to see the individual information we hold on them.

1.16 Our registers of [recognised doctors](#), [psychologists](#), [examination centres and training centres](#) are available to the public on the ORR [web site](#).

2. Applying for a train driving licence

Summary

This chapter is about applying for a train driving licence and explains:

- How to apply for a train driving licence on behalf of drivers you employ;
- The conditions for obtaining a licence;
- Train driving licence requirements for trainee drivers;
- Who the licence belongs to;
- What the train driver must do with the licence when driving a train; and
- What happens when a licence is lost, stolen or due for renewal

How do I apply for a train driving licence on behalf of the train drivers that I employ?

- 2.1 A licence application may be made by a driver but in most cases applications will be made by the employing train operator on the driver's behalf. To speed up the process of applying for and issuing a train driving licence we have developed an online application system. The online application system provides us with confirmation that the train driver meets the conditions to obtain the licence.
- 2.2 A [guide to the application process](#) is available on our website.
- 2.3 When we receive the application, we will check that all the necessary evidence is included or contact the train operator if any information is missing. Once we have all the relevant information, and we are satisfied that we can grant a licence, we will process the licence application. Once printed, the licence will be sent to the train operator to pass onto the train driver. Applications for licences will be determined within one month of receiving all the necessary information.

Conditions for obtaining a train driving licence

2.4 There are five conditions that a train driver must meet in order to obtain a licence:

- Regs 8 & 10**
- Be at least 20 years old;
 - Have completed at least nine years of education (primary and secondary);
 - Pass the medical examination;
 - Pass the occupational psychological fitness examination;

- Pass the general professional competence examination

- 2.5 We expect train operators to check that the age and education requirements have been met during the selection process. The vast majority of UK-born train drivers will meet the educational requirement because of the requirement to stay at school until the age of 16. If there is any doubt about whether the educational requirement has been met, train operators should carry out any necessary checks before completing the online application.
- 2.6 Train operators must ensure that the person carrying out any medical or occupational psychological fitness examinations is recognised by ORR to carry out such examinations and is listed on ORR's register of doctors or psychologists. Train operators must also ensure that the examination for general professional competence is carried out by a recognised examination centre which is listed on ORR's register of training and examination centres. Information on the medical examination and occupational psychological fitness examinations and recognition process can be found in our separate [guide](#). Information on training and examination centres carrying out the general professional competence examination and recognition process can be found in our separate [guide](#).
- 2.7 The registers of recognised doctors; psychologists; and training and examination centres are available on our [website](#).

When can I apply for a train driving licence for a trainee driver?

- 2.8 Trainee drivers are permitted under the TDLCR to drive trains during their training as long as they are supervised in the cab by an authorised driver holding both a valid train driving licence and certificate for the routes and rolling stock for which they are supervising the trainee and the train operator has also notified the infrastructure manager that driver training is being carried out. We recommend that applications for a licence should only be submitted once the train operator is satisfied that the trainee driver will pass their training to become a qualified train driver. The licence can only be issued to the driver when all required conditions are met.
- 2.9 The general professional competence, medical and occupational psychological fitness examinations needed to get a **licence** will be assessed through driver selection and training. This allows the train operator to apply for a licence and to continue the trainee driver's detailed rolling stock and infrastructure training that is necessary to be issued with a certificate, while waiting for the licence to arrive. This will help to avoid delays in trainees being able to commence train-driving duties.

Reg
4(7)(e)

Who does the licence belong to after it has been issued and must the driver carry it with them when on duty?

2.10 Once the train driver has received the licence, **it remains the personal property of the train driver** until either it expires, or we suspend or withdraw it. All expired, suspended or withdrawn licences must be returned to us.

Regs 6
& 18(2)

2.11 Train drivers **must** have their licence with them when they are driving a train and the train operator must take reasonable steps to make sure that train drivers have their licences with them. If an ORR inspector asks a driver to show the licence and certificate while on driving duties and the driver is unable to do this because they have forgotten it, or it has been lost or stolen, the train operator should ensure that the driver is able to provide other evidence that they hold a licence. This may be through a copy of the licence or a telephone number for the inspector to call to check that the driver holds a valid licence.

Regs
4(5) &
(6)

Lost, stolen or destroyed licences

2.12 If a train driving licence is lost, stolen or destroyed inadvertently, the train operator or driver should notify us about this at the earliest opportunity and make an application for a duplicate licence. While the application for a duplicate licence is being processed, the train operator must take reasonable steps set out in paragraph 1.10 so that the driver can demonstrate to an inspector that they hold a licence.

What happens to a licence when the driver changes train operator?

2.13 When a driver leaves one train operator and moves to another, the licence remains valid and for this reason, it does not require re-issue.

2.14 We strongly recommend that the train operator recruiting the driver should contact us to check the validity of the licence and should also request the transfer of safety information relating to the driver from the previous employer. More information on current GB rail industry good practice concerning the transfer of safety information can be found in [RIS-3751-TOM Appendix B](#) published by RSSB.

How long are licences valid for and what are the requirements for renewal?

2.15 Licences are valid for 10 years from issue unless they are suspended or withdrawn.

2.16 Licences may be renewed, after 10 years, providing that all requirements have been met. An application to renew a licence should be made in good time so that the driver receives the new licence before the old one runs out and there is sufficient time to make sure the train driver complies with the conditions for holding a new licence.

Reg
12

2.17 When you apply for a licence renewal we expect that the driver:

- Has passed a medical examination within the minimum required frequency for the driver's age, which is, every 3 years for drivers under 55 and annually for drivers aged 55 and over (or at other interval recommended by a recognised doctor) [See also the medical and occupational psychological fitness guide](#).
- Is employed under a SMS, which maintains the driver's general professional competence at the time the application to renew is made.

3. Keeping the train driving licence information up to date on ORR's register of licences

Summary

This chapter is about what you should do when the information on a train driving licence changes and explains the type of events you should notify to ORR.

3.1 Under the TDLCR we are required to have and keep up to date a register of licences. This register should include details of any updating, renewal, amendment, expiry, suspension and withdrawal of the licence as well as record the theft, loss or destruction of any licence.

Reg
24

3.2 In some instances, you must tell us about these changes because the TDLCR require it but it is also important that you keep us informed of other changes so it remains as up to date as possible. It is beneficial for the industry that the register is kept as up to date as possible – particularly when drivers leave a train operator's employment or the train operator employs a new driver - so we can share this information on the register on request from train operators. Equally, receiving prompt updates when periodic medical assessments are completed is an important part of our assurance that the fitness requirements of the regulations are being met and actively monitored.

What events should a train operator notify ORR about?

3.3 A train operator should notify us when (providing dates where necessary):

- **Driver address changes**
- **Driver changes name or requires new photograph**

You should also provide documentary evidence in support of the change and these changes can be emailed to the train driver licences team at:

tdl.applications@orr.gov.uk.

- **Date a driver passes a medical examination.**

In relation to the above we recognise that there may be times when drivers are temporarily unfit for driving duties. Train operators should not deploy a driver on driving duties if the driver is temporarily unable to meet the conditions for holding a licence. However, we do not expect to be notified about such events if the issue is resolved within 3 months.

- **Medical details in section 9 of the licence relating to hearing or sight change (where a driver is required to wear corrective lenses or hearing aids).**

We will issue an amended licence, which will show that the driver now wears corrective lenses or hearing aids. The existing licence remains valid until the new one is received but the train operator must make sure the required adjustment (e.g. correction to vision or hearing) is made immediately. The old licence must be returned to us.

- 3.4 There may be other events where a train operator should notify us where this might affect the validity of licence and might lead us to consider whether the licence should be suspended or withdrawn and the [licence suspension and withdrawal guide](#) provides more details.

What events must a train operator notify ORR about?

- 3.5 A train operator must notify us when:

Reg
16(1)

- Driver leaves a train operator and moves to another
- Driver stops working as a train driver (including due to their death or retirement)
- A driver's work incapacity is in excess of 3 months. You should notify us of the start date of the incapacity. There is no requirement to notify ORR of short term sickness.

Reg
17(5)

If the work incapacity (absence) is a result of pregnancy or maternity leave, the train operator must comply with relevant protections in the Equalities Act 2010 when managing the driver's incapacity.

4. Maintaining the validity of a licence: monitoring train drivers

This chapter is about how to maintain the validity of a train driving licence. It also explains what you should do if you have concerns about maintaining the validity of the licence.

Monitoring driver's medical fitness and competence

4.1 A train driving licence is valid for 10 years from the issue date, as long as the train driver:

- Reg 13(1)
- passes the regular medical assessments confirming that they are fit to drive (Schedule 1 of TDLCR);
 - maintains general skills and professional competence (Schedule 3 of TDLCR).

4.2 Train operators must have a system in place for monitoring that any train driver they employ continues to meet these conditions for holding a licence. In relation to general professional competence, we expect the train operator to set out arrangements in its SMS for managing the competence of drivers. This should include arrangements for monitoring drivers to ensure that their competence is being maintained. We have produced separate [guidance](#) on this and RSSB has also produced [guidance](#) on competence development.

Reg 17(1)

What happens if the monitoring of the train driver raises concerns about validity of the licence?

4.3 If the train operator has concerns about a train driver's medical fitness or competence that may affect the validity of the licence, the train operator must address these concerns promptly to make sure validity is maintained.

Reg 17(2)

4.4 All train drivers are also required under the TDLCR to immediately inform the train operator employing them if they consider their state of health calls into question their fitness to drive trains.

Reg 17(3)

4.5 Concerns about medical fitness could arise either:

- during ongoing monitoring of the train driver outside of the interval for a periodic medical examination; or
- as result of the train driver failing a periodic medical examination or not having one when required (if the driver fails a medical examination, the **driver must not drive trains** until he/she has passed any following medical examination because the validity of the licence may be affected; or
- where the train operator considers that a train driver's health has deteriorated to the point where the driver's fitness is called into question; or

- Following an operational incident.

These concerns may require the train operator to arrange a medical or occupational psychological fitness examination by a recognised doctor or psychologist.

4.6 Concerns about a driver's competence could arise during monitoring of a driver's general professional competence through the competence management in the SMS, particularly if these are related to the driver's involvement in an accident, a Signal Passed At Danger (SPAD) event or another operational incident. Where concerns are raised these could be dealt with by:

- development plans
- re-training; or
- re-assessment.

4.7 Our guide on '[Developing and Maintaining Staff Competence](#)' referred to above also provides guidance on this.

4.8 There is no specific legal requirement on drivers to notify the train operator if the driver has concerns about their competence, but train operators may want to consider including such a requirement in the competence management system.

4.9 Our inspectors may ask a train operator to make sure the driver's fitness to drive is reassessed by a recognised doctor, psychologist or examiner if the inspector believes that a train driver employed by the train operator is no longer fit or competent to hold a licence.

What happens if monitoring continues to raise concerns about the validity of a licence?

4.10 If, as a result of your monitoring, you have informed us of concerns regarding the validity of the licence, we will consider the information and any supporting evidence to determine whether there might be sufficient grounds for us to suspend or withdraw a driver's licence in accordance with our suspension and withdrawal process. We will keep you and the train driver informed about this and our register will be updated accordingly.

4.11 For more information on licence suspension and withdrawal process [see our separate guide](#).

5. Issuing a train driving certificate and maintaining its validity

Summary

This chapter is about train driving certificates. It explains:

- Who issues the train driving certificates;
- What train driving certificates cover;
- Format of train driving certificates;
- Certificate validity;
- Gaining and monitoring the competences for the certificates;
- Leaving employment and the certificate;
- Refusing to issue, renew, or update a certificate and suspending or withdrawing a certificate; and
- Register of certificates and maintaining it.

Who issues train driving certificates and what do they cover?

5.1 Train driving certificates are issued by train operators to the drivers they employ. The certificate sets out which rolling stock a driver may drive and over which infrastructure. The professional knowledge requirements for infrastructure and rolling stock are set out in schedules 4 and 5 of the TDLCR respectively.

5.2 Under TDLCR, the train operator must have an application procedure for issuing certificates to its drivers to confirm that they have the skills, knowledge and abilities needed to drive trains. This procedure will form part of the train operator's SMS and the train operator must publish it (for example, on its intranet or in its staff handbook). The train operator must also publish that in certain circumstances train drivers have a right of appeal to ORR against decisions train operator takes about a driver's certificate (see paragraphs 5.30 - 5.31). The train operator must also keep a register of certificates that it issues (which may be in electronic form).

Reg
11(1)

5.3 The procedure for issuing certificates must set out:

- how drivers are issued with certificates;

- what a certificate covers;
- how the train operator will keep a register of certificates that it issues (more information in annex D); and
- how drivers who leave a train operator's employment are given copies of their certificates.

5.4 A train operator may decide not to issue a certificate to a train driver and more information about this is in paragraphs 5.30 – 31.

5.5 **A train operator must only deploy a train driver to drive a particular type of train, or to drive a train on particular infrastructure if they are authorised by a certificate issued by the train operator to do so.** Unless the driver is covered by the circumstances set out in paragraph 1.11.

Regs
4(2)
(7)&
(8)

Professional knowledge of the infrastructure and rolling stock

5.6 Schedule 4 of TDLCR sets out competence requirements relating to certificates for driving on specific infrastructure. It also includes the language standard in paragraph 8 of Schedule 4 (amended in 2015). Paragraph 8 sets out that drivers must have the language skills to communicate on critical safety issues with infrastructure managers in routine, adverse and emergency situations. Drivers must be able to use messages and the communication method specified in Annex 1 of the [Commission Decision 2012/757/EU](#) and be able to understand and communicate to level B2 of the Common European Framework of Reference for Languages.¹

5.7 Professional knowledge of the rolling stock includes a variety of competences which should be applied to the specific rolling stock in question. It is not necessary to apply all of these competences to every type of rolling stock because some of the competencies may not be relevant, or a more basic degree of knowledge is sufficient for some types of rolling stock. There are no set pass and fail criteria and it is up to the train operator to decide the 'pass mark' based on risk and the requirements of their operation.

What does the train driving certificate look like?

5.8 The certificates are a standard format across Europe and they:

- allow detailed information about a driver's ability to be shared, if necessary, with prospective employers and the safety authorities; and
- give drivers a record of their competence.

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2012.345.01.0001.01.ENG & <https://www.coe.int/en/web/common-european-framework-reference-languages/table-1-cefr-3.3-common-reference-levels-global-scale>

- 5.9 The information in Annexes B and D sets out the minimum information that must be provided on the certificate, what it should look like and the information a train operator must include on it. We have also produced a [template certificate](#) to download.
- 5.10 Extra information that a train operator already routinely collects could also be added in the section set aside for this, for example performance data – but there is no requirement to do so. In this respect, the certificate does not replace any existing internal driver management practices.
- 5.11 A driver may need more than one certificate if they work as a driver for more than one train operator.

Who owns the certificate? How long is a certificate valid for and must a train driver carry the certificate with them when on duty?

- 5.12 The certificate is owned by the train operator and is issued to the driver that it employs.
- 5.13 The certificate is valid for the period that the train operator has set out in its procedure referred to in paragraph 5.2 or when a train driver leaves a train operator's employment. If the train operator chooses for the certificate to remain valid indefinitely until it no longer employs that train driver, the train operator may choose not to apply an expiry date.

Reg
14

- 5.14 Train drivers **must** have their certificate with them when they are driving a train and the train operator must take reasonable steps to make sure that train drivers have their certificates with them. If an ORR inspector asks a driver to show their certificate while on driving duties and the driver is unable to do this because they have forgotten it, or it has been lost or stolen, the train operator should ensure that the driver is able to provide evidence that the driver holds a certificate. This may be through a copy of the certificate or a telephone number for the inspector to call to check that the driver holds a valid certificate.

Reg
4(5) &
|6)

Lost, stolen or destroyed certificates

- 5.15 If a train driving certificate is lost, stolen or destroyed inadvertently, the train driver should notify the issuing train operator so that a duplicate can be issued. While the duplicate is being issued, the train operator must take reasonable steps set out in paragraph 5.14 so that the driver can demonstrate to an inspector that they hold a certificate.

What happens to the certificate when a train driver leaves a train operator?

- 5.16 When a train driver leaves a train operator the certificate issued by the train operator is no longer valid.

Reg
16(3)

Reg
16
(4)(a)

5.17 The train operator is required by TDLCR to issue the driver with a certified copy of the certificate showing which rolling stock and on which infrastructure the driver is competent to drive at the time the driver stops working for the train operator. An example of a certified copy certificate is available at Annex C and [template is available to download](#).

Reg
16
(4)(b)

5.18 In addition to the certified copy of the certificate, the train operator must also provide the driver with a copy of documents providing evidence of the driver's training, qualifications, experience and professional competence that the driver has completed or obtained. If the train driver is moving from one train operator to another, we strongly recommend that the new employer asks for a transfer of safety information about the driver so that the new train operator employing the driver has a good history of that driver's safety record. The production of a train driving licence alone is not a substitute for the normal due diligence checks a train operator should carry out before it employs a driver. More information about established GB rail industry good practice concerning the transfer of safety information can be found in [RIS-3751-TOM Appendix B](#) published by RSSB.

Keeping certificates valid: maintaining driver competence

5.19 The train operator is responsible for training, assessing and monitoring the competence of its drivers. Any training either in-house or externally must be carried out at a recognised training centre with suitably experienced and qualified trainers as required by the TDLCR. The ongoing monitoring of competence is as much a matter of good management of drivers as it is of "formal" training and assessment. [ORR's guidance on competence management](#) sets out good practice in how to monitor competence effectively:

5.20 The train operator should have in place a training programme for both new and qualified drivers, which forms part of its certified safety management system. This training programme will normally be sufficient to ensure drivers develop the competences they need to obtain the relevant certificate.

Reg
15

5.21 To keep the certificates valid, the train operator must regularly assess a driver's competence. It is up to the train operator to decide how often those assessments should be carried out, but under the TDLCR they must be carried out with at least the following frequency:

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6

- Language competence (for non-native speakers) at least every three years or after absence from driving duties for more than a year.
- Infrastructure knowledge (including route and operational rules) at least every three years or after absence of more than a year from a relevant route or
- Rolling stock knowledge at least every three years.

5.22 We recommend that competence assessments are carried out by someone with suitable qualifications, experience and skills as part of routine management activity. Where these

assessments identify that a specific element of competence has not been maintained (such as knowledge of a particular route) a note should be made on the certificate (or an electronically held data) to show that particular competence is no longer held. This would not affect validity of the driver's licence unless the driver no longer meets the requirements to hold a licence and therefore may not to drive trains.

5.23 Where the assessment requires the competence information on the certificate to be updated or the certificate is due for renewal, the train operator must include this information in the updated or renewed certificate.

5.24 The train operator may decide not to renew or update a certificate to a train driver. More information about this is in paragraphs 5.30 – 5.31.

What happens if competence elements of the certificate are not maintained?

5.25 If the system for monitoring driver competence (either through routine training or assessment or following the identification of any competence issues) calls into question

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- a driver's competence for driving duties; or
- the validity of the certificate,

the train operator must immediately take any necessary action.

5.26 This action may include requiring the driver to undergo training or further assessment to make sure the validity of the certificate is being maintained. This is most likely to arise if a driver has not driven over a particular route for a period of time and in these circumstances refresher training may be necessary. This may also arise following involvement in an accident, Signal Passed At Danger (SPAD) or other operational incident. The result of this monitoring may result in the train operator deciding to amend and re-issue a certificate.

5.27 In more serious circumstances where the driver continues failing to meet the conditions for holding a certificate, the train operator may decide to suspend or withdraw a certificate.

What happens if an ORR inspector has concerns about a driver's ability to meet the conditions for holding a certificate?

5.28 If an ORR inspector believes that a driver does not meet the conditions for holding a certificate, they will inform the train operator with a reasoned request to either:

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- review whether the driver meets the conditions to hold a certificate; or

- to suspend or withdraw the driver's certificate.

5.29 The train operator must consider such a request from ORR and notify ORR within 4 weeks of its decision to either suspend or withdraw a certificate, or take any other action. 'other action' may include requiring the driver to have further professional knowledge and competence examinations for infrastructure or rolling stock. While this decision is being made by the train operator, we may prohibit the driver from driving trains in Great Britain.

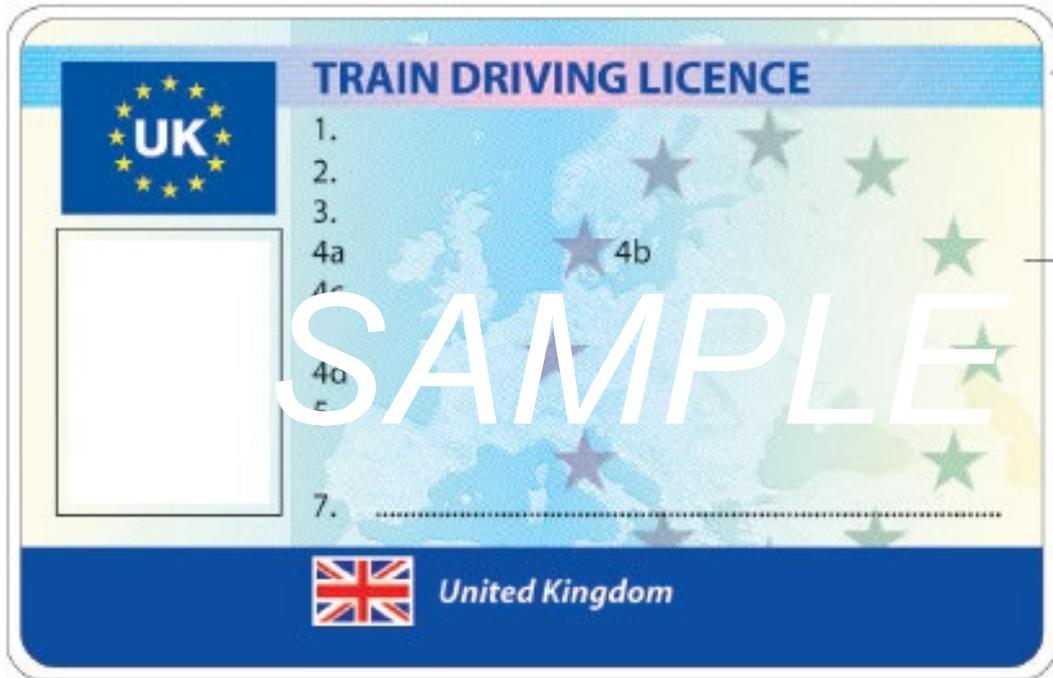
What happens if a train operator either refuses to issue, update or renew a certificate or if a train operator has suspended or withdrawn a certificate?

5.30 If the train operator has either refused to issue, update, renew a certificate, or suspended or withdrawn a certificate, the train operator should advise the driver of this decision and provide the reasons for the decision. The train operator should also advise the driver of their right to appeal the decision and that appeals should be submitted to ORR. We have produced a [guide to the appeal process for certificates](#).

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5.31 If a train operator has suspended or withdrawn the certificate, it should notify ORR as this may affect the validity of the licence. We would then look at this in accordance with our [guide on suspending or withdrawing licences](#).

Annex A: Example of a train driving licence



Annex C: Example of a certified copy of the train driver's certificate when they leave employment

RU/IM	COPY OF COMPLEMENTARY CERTIFICATE	
Brand mark	Issued in accordance with Article 17 of Directive 2007/59/EC, this document does not authorise driving.	
1. EMPLOYER - CONTRACTING RU/IM	COMPANY NAME	
	RAILWAY UNDERTAKING <input type="checkbox"/> INFRASTRUCTURE MANAGER <input type="checkbox"/>	
Postal address		
Post code and town	Country	
Holder Reference number		
2. HOLDER	Licence Number	
Surname(s)		
Name(s)		
Place of birth		
Date of birth		
Nationality		
Postal address (optional)		
	<div style="border: 1px solid black; width: 100px; height: 100px; margin: 0 auto; display: flex; align-items: center; justify-content: center;"> PHOTO </div>	
	<div style="border-top: 1px solid black; width: 100px; margin: 0 auto;"> Signature </div>	
3. CATEGORY OF DRIVING	A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> _____	B <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. ADDITIONAL INFORMATION		
5. RESTRICTIONS		
6. LANGUAGE SKILLS		

Annex D: Information to be contained in the certificate register

What information do I need to keep on the register of certificates? The basic parameters for registers of certificates are set out in Annex II of [Commission Decision of 29 October 2009 2010/17/EC](#) (in accordance with [Article 22\(4\) of Directive 2007/59/EC](#). They are:

- data to be collected;
- data format;
- accessing the information in the register;
- data exchange;
- how long data is retained; and
- procedures in the event of bankruptcy.

Data to be collected and data format

Your register of certificates must be comprised of 4 sections.

- Section 1 contains information about current state of the licence held by the train driver.
- Section 2 contains information about the certificate issued, as listed in Annex I, Section 3, of Directive 2007/59/EC.
- Section 3 contains historical information about the certificate.
- Section 4 contains information about basic requirements and initial checks to allow the certificate to be issued and about subsequent checks to be recorded to allow the certificate to remain valid.

You must provide information on the train driver's current knowledge of rolling stock, infrastructure and linguistic knowledge (as assessed in accordance with the relevant part of Directive 2007/59/EC) in Section 2, including the date of the next expected assessments. After these assessments have been carried out, you should move the information into section 3 and the new information from the assessments should be included in section 2.

Information on the data to be collected and format is set out in the table at the end of this Annex.

Rights to access the data

You must give access to the information in the register to the following interested parties when being used the following purposes:

- A competent authority (safety authority) of the Member State (in this case ORR) in accordance with article 22(2)(b) of Directive 2007/59/EC

- to competent authorities of the EEA Member States in which the railway undertaking or infrastructure manager operates, and where the driver is authorised to drive on at least one line of the network:
 - for their task of monitoring the development of certification, under Article 19(1)(g) and Article 26 of Directive 2007/59/EC;
 - for their inspection tasks under Article 19(1)(h) and (2) and Article 29(1) of Directive 2007/59/EC (this task may be carried out by a delegated entity);
- to train drivers, for the data concerning them, in accordance with Article 22(3) of Directive 2007/59/EC;
- to investigation bodies set up in accordance with Article 21 of Directive 2004/49/EC, for investigating accidents, in particular as stated in Article 20(e) and (g) of that Directive.

You may grant access to the register to other users, subject to the legal requirements on personal data protection.

Data exchange

You must grant access to relevant data in accordance with Directive 2007/59/EC to:

- to the competent authorities where the railway undertaking or infrastructure manager is domiciled, in accordance with Article 22(2)(b) of Directive 2007/59/EC,
- to competent authorities of other Member States, upon request, in accordance with Article 22(2)(c) of Directive 2007/59/EC, and
- to drivers, upon request, in accordance with Article 22(3) of Directive 2007/59/EC.;

You must provide the data, without delay, in a manner which ensures secure transmission of information and protection of personal data.

You may offer login facilities on your website to all who have access rights, provided you ensure that reasons for requests are checked.

Duration of data retention

You must keep all data in the certificate register for at least 10 years from the last expiry date referred to on the certificate.

If at any time during this 10-year period an investigation involving the driver is started, you must keep data relating to the driver beyond the 10-year period if so required.

Any changes in the register shall be recorded.

Procedure in case of bankruptcy

If your company goes bankrupt, the railway undertaking or infrastructure manager taking over the operation of the service also takes over responsibility for the data contained in the register of certificates.

Where another railway undertaking or infrastructure manager does not take over, then ORR, as the safety authority, become the repository of data contained in the register of certificates.

No	Datum to be displayed		
	Content	Format	Status of the requirement

Section 1: Reference to the licence

1	Licence number		
1.1	Number of the licence, giving access to data in the national register	EIN (12 digits)	Compulsory
2	Current state of the licence		
2.1	Evidence of the current state of the licence <ul style="list-style-type: none"> Valid Suspended Withdrawn 	text	Compulsory

Section 2: Information about the current certificate issued, as listed in Annex I, Section 3, of Directive 2007/59/EC

3	Surname(s) of the holder (the same of the licence)		
3.1	Surname(s) displayed on passport or national identity card or other recognised document proving identity. More surnames are allowed, depending on national custom	text	Compulsory
4	Name(s) of the holder (the same of the licence)		
4.1	Name(s) displayed on passport or national identity card or other recognised document proving identity. More names are allowed, depending on national custom	text	Compulsory
5	Date of birth of the holder		
5.1	Date of birth of the holder	YYYY-MM-DD	Compulsory
6	Place of birth of the holder		
6.1	Place of birth of the holder	text	Compulsory
7	Date of issue of the certificate		
7.1	The current date of issue of the certificate	YYYY-MM-DD	Compulsory
8	Date of expiry of the certificate		

8.1	Date of the expected formal expiry of the certificate, to be set by the company and included in the procedure required in Article 15 of Directive 2007/59/EC.	YYYY-MM-DD	Compulsory	
9	Name of issuing entity			
9.1	Name of the entity issuing the certificate (railway undertaking, infrastructure manager, other)	Text	Compulsory	
10	Reference number assigned to the employee by the employer			
10.1	Company reference for the train driver	Text	Optional	
11	Photograph of the holder			
11.1	Photograph	Original or Electronic scanning	Compulsory	
12	Signature of the holder			
12.1	Signature	Original /Photocopy/ Electronic scanning	Compulsory	
13	Permanent place of residence or postal address of the holder			
13.1	Address of the holder	Street and number	Text	Optional
13.2		Town	Text	Optional
13.3		Country	Text	Optional
13.4		Postcode	Alpha-numerical code	Optional
13.5		Telephone number		
13.6		e-mail address		
14	Address of the railway undertaking or infrastructure manager for which the driver is authorised to drive			
14.1	Address of the RU/IM	Street and number	Text	Compulsory
14.2		Town	Text	Compulsory
14.3		Country	Text	Compulsory
14.4		Postcode	Alpha-numerical code	Compulsory
14.5		Contact person	Text	Optional
14.6		Telephone number	text	Compulsory
14.7		Fax number	text	Compulsory

14.8		e-mail address	text	Compulsory
15	Category in which the driver is authorised to drive			
15.1		Relevant code(s)	Text	Compulsory
16	Rolling stock which the driver is authorised to drive			
16.1		(list, record to be repeated)	Text	Compulsory
16.2		For each item the date of next expected check shall be added	YYYY-MM-DD	Compulsory
17	Infrastructure on which the driver is authorised to drive			
17.1		(list, record to be repeated)	Text	Compulsory
17.2		For each item the date of next expected check shall be added	YYYY-MM-DD	Compulsory
18	Language skills			
18.1		(list, record to be repeated)	Text	Compulsory
18.2		For each item the date of next expected check shall be added	YYYY-MM-DD	Compulsory
19	Additional information			
19.1		(list, record to be repeated)	Text	Compulsory
20	Additional restrictions			
20.1		(list, record to be repeated)	Text	Compulsory

Section 3: Historical records on the status of the certificate

21	Date of first issue			
21.1		Date of first issue of the certificate	YYYY-MM-DD	Optional
22	Update(s) (Several records are possible)			
22.1		Date of update	YYYY-MM-DD	Compulsory
22.2		Details of and reason for update (correction of one or more data displayed on the certificate, e.g. personal address of the driver)	Text	Compulsory
23	Amendment(s) (Several records are possible)			
23.1		Date of amendment	YYYY-MM-DD	Compulsory
23.2		Reason for amendments, referring to specific parts of the certificate: amendments in field 3 "Categories of driving" amendments in field 4 "Additional Information" amendments in field 5: new linguistics knowledge acquired or knowledge periodically checked amendments in field 6 "Restrictions" amendments in column 7: new rolling stock knowledge acquired or knowledge periodically checked amendments in column 8: new infrastructure knowledge acquired or knowledge periodically checked	Text	Compulsory

24	Suspension(s) (Several records are possible)		
24.1	Length of period of suspension	From (date) to (date)	Compulsory
24.2	Reason for suspension	Text	Compulsory
25	Withdrawal(s) (Several records are possible)		
25.1	Date of withdrawal	YYYY-MM-DD	Compulsory
25.2	Reason for withdrawal	Text	Compulsory
26	Certificate reported lost		
26.1	Date of communication	YYYY-MM-DD	Compulsory
26.2	If yes, date of issued duplicate	YYYY-MM-DD	Compulsory
27	Certificate reported stolen		
27.1	Date of communication	YYYY-MM-DD	Compulsory
27.2	Date of any duplicate issued	YYYY-MM-DD	Compulsory
28	Certificate reported destroyed		
28.1	Date of communication	YYYY-MM-DD	Compulsory
28.2	Date of any duplicate issued	YYYY-MM-DD	Compulsory

Section 4: Historical records in connection with the basic requirements for issuing a certificate and the results of periodic checks

	Linguistic competence			
	Basic requirement	Working language(s) for which a statement that the criteria set out in Annex VI(8) of Directive 2007/59/EC had been fulfilled was issued	Text	Compulsory
29.2	Periodic check	Date of certified knowledge (exam passed) for each language. Several records are possible.	YYYY-MM-DD	Compulsory
30	Rolling stock knowledge			
30.1	Basic requirement	Rolling stock for which a statement that the criteria set out in Annex V of Directive 2007/59/EC had been fulfilled was issued	Text	Compulsory
30.2	Periodic check	Date of periodic check (certified knowledge) Several records are possible.	YYYY-MM-DD	Compulsory
31	Infrastructure knowledge			
31.1	Basic requirement	Infrastructure for which a statement that the criteria set out in Annex VI of Directive 2007/59/EC had been fulfilled was issued	Text	Compulsory
31.2	Periodic check	Date of periodic check (certified knowledge).Several records are possible.	YYYY-MM-DD	Compulsory



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