Welcome to RIHSAC 100

Happy anniversary!

Dilip Sinha, RIHSAC Secretary

12 October 2015
RIHSAC 100

Rail Industry Health & Safety Advisory Committee

12 October 2015

John Cartledge
RIHSAC 100

- 1974  Health & Safety at Work etc Act
- 1978  RIAC
- 1987  Kings X fire → Fennell inquiry
- 1989  Clapham Junction collision → Hidden inquiry
- 1990  HMRI → HSE
- 1993  Railways Act : privatisation
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- 1997 Southall collision → Uff inquiry
- 1999 Railway Safety Regulations
- 1999 London Underground PPP
- 1999 Ladbroke Grove collision → Cullen inquiry
- 2000 Hatfield derailment → demise of Railtrack
- 2001 Strategic Rail Authority
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- 2002   Alan Osborne
- 2003/5 RSSB, RAIB
- 2004   EU 2nd Railway Package
- 2005   Railways Act: SRA, HMRI → ORR
- 2010   London Underground PPP
- 2012   Red Tape Challenge
- 2013   Law Commissions’ report on level crossings
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Chart 3: Trends in fatalities over the past 50 years.

Legend:
- Public (all railways)
- Public (mainline railway)
- Passenger
- Workforce

Data points from 1964/1965 to 2014/2015.
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RIAC composition in 1978

• 4 CBI members (3 BRB, 1 LUL)
• 4 TUC members (1 TUC, 1 NUR, 1 AUEW, 1 TSSA)
• Railway medical services
• HSE observers

• Chairman : Chief Inspector

RIHSAC composition in 2015

• 18 members (ASLEF, RMT, TSSA, Unite, Network Rail, LUL, ATOC, ISLG, RFOA, RSSB, ROSCOs, CPT, HRA, RIA, Transport Focus, London TravelWatch, +2 co-optees)
• 6 observers (BTP, PACTS, DfT, DRDNI, Transport Scotland, WAG)

• Chair : ORR Board member
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RIAC terms of reference 1978

• To consider and advise the HSC on the protection of people at work from hazards to health and safety arising from their occupation within the railway industry and the protection of the public from related hazards arising from such activities

RIHSAC terms of reference 2015

• To advise ORR on developing and implementing its strategy for improving standards of health and safety in the rail industry and protecting passengers, people at work and the public from related hazards

• To provide informed comment to ORR on its proposed advice and guidance to the rail industry arising from ORR’s strategies and policies

• To encourage the participation of representative organisations in the protection of people from hazards to health and safety arising from the operation of railway services

• To involve all those with an interest in health and safety on Britain’s railways in the work of RIHSAC.
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RIAC documents 1978

RIHSAC documents 2015

TOP SECRET!

"So let the sun shine in...."
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RIAC sub-committees

• Occupational health
• Freight
• Human factors
• Safety critical work
• Trespass and vandalism
• Communications and research

RIHSAC working parties
RIHSAC 100

Some evolving issues …

- Trackside safety
- Driver stress
- Electrification
- Violence to staff
- Fire safety
- Train protection
- Rolling contact fatigue
- Infrastructure integrity

- Safety cases
- ROGS
- Dangerous goods
- Crowding
- Trespass and vandalism
- Suicide
- Road/rail interface
- SPADs

- Vehicle crashworthiness
- Road accident risks to staff
- Slips, trips, falls
- Platform-train interface
- Freight train derailments
- Managing passengers during disruption
Areopagitica

(John Milton 1644)

“where there is much desire to learn, here of necessity will be much arguing, much writing, many opinions; for opinion in good men is but knowledge in the making.”
RIHSAC 100
RIHASAC Meeting #100
Trade unions – the past present and future!
Happy Birthday!!
1978 headlines:

- BRB/TU Productivity Steering Group – “competition, productivity, efficiency.”
- Rates of pay for female staff – Board refused to discuss as it was “not considered an item of major importance”.
- JSC items: stress factors in signal boxes, ear protection, authorised walking routes, asbestos, HSWA 74 – 1 safety rep for each LDC rep.
- Danger money – 5p/8hr shift for working with high levels of dust “dirty allowance”.
1978

• Interim report of the Track Safety Working Party established after calls by the TU’s – Interim report recommendations:

• Consistent rules; Yodalarm issued to all maintenance gangs in a year; other warning systems rolled out over a longer period; human lookouts replaced in 5-10 years; headlights fitted to all trains as soon as possible; tidy days.

• Safety reps appointed in the machinery. Trained by the TUC. Use the machinery not HMRI.
What’s wrong/what doesn’t work?

• Return to risk based maintenance (BCR)
• Fragmentation of the railway/Network Rail
• Fragmentation leads to loss of opportunities for ill-health and accident reduction
• Profit and Production over safety
• Employers not listening
What’s right?
What’s good?

• “Can’t think of one thing, not convinced by any future proposals by the Government or if there is a real commitment to rail”

• Growing recognition that rail employers must address health as main issue

• Continuing tripartite approach including working with health and safety representatives – 3rd November is 5th annual ORR/TU Conference
What could be better?

- Publically owned railway with a real long term strategy based on growth and integrated transport
- Continuing improvements on worker health and with worker involvement
- Greater commitment to support and encourage the work of health and safety reps
What could be better?

- Meaningful consultation
- Full time release for a Safety Rep in every company – acting as a fulcrum between employers and those they put at risk
- Better understanding and improvements in managing fatigue – again, with worker involvement
Finally – someone who will listen to what we have been advocating for years!
• All rail franchises would be brought back into public ownership as they expire under a Labour government.

• “We know there is overwhelming support from the British people for a People's Railway, better and more efficient services, proper integration and fairer fares”

• A TUC report said that if the 11 franchises due to be renewed by 2020 nationalised £520m would be saved on shareholder dividends and £240m on dividends to Network Rail subcontractors.
Looking forward to a better safer railway

George Bearfield
Gary Cooper
Lisbeth Fromling
26 February 2016
Overview

- How we’ve performed
- What we’ve learned
- The key challenges
- Where do we go from here:
  - Activity
  - Leadership
  - Behaviour
Train accidents with passenger and workforce fatalities

Source: ORR for historical data; SMIS for recent statistics.
Train accident precursors

**Historical PIM trend**
Previous version of modelling and grouping

**Current PIM trend**
New version of modelling and grouping

FVI per year

- Infrastructure Failures
- SPADs
- Level crossings
- Objects on the line
- Infrastructure operations
- Train operations and failures
Key accidents of the modern era

1978: Taunton sleeper fire – demonstrated value of sharing lessons learnt

1984: Polmont – changes to rules, rolling stock, cab-to-shore comms

1988: Clapham Junction – brought out issues of change management, risk management, and initiated thinking about personal fatigue, organisational fatigue and the concept of control of accidental loss.

1988/9: Clapham Junction, Purley (SPAD), Bellgrove (SPAD) – sped the introduction of ATP/improved train protection, also contributed to withdrawal of Mark I rolling stock

1997/1999: Ladbroke Grove, Southall – sped the introduction of TPWS, raised issues of containment

2000: Hatfield – end of Railtrack, increased research into wheel-rail interface, improvements to track maintenance

2002: Potters Bar – Network Rail brings maintenance in-house

2007: Grayrigg – more focus on point maintenance, track inspection and organisational culture
Key challenges and opportunities

- Busier network, more people travelling aging infrastructure
- Risks to assets including terrorism, cyber security
- Platform Train Interface, signals passed at danger
- Work-related road driving
- Trespass and suicide
- Digital Railway
- Innovation, investment and technology
A common approach to risk management
Behaviours and leadership

We need to visibly embed a common approach to risk management

• To be effective
• To be consistent
• To be compliant

We all need to behave consistently – develop shared priorities, and work together visibly to deliver them.

We need to continuously improve and develop our maturity

As safety leaders, we need to be clear about the importance of safety and behave as we would expect others to.
What do we need from the regulator?

Act with consistent and joined-up behaviours

Evidence based interventions

Support the industry

Promote leadership and maturity
Conclusions

We have achieved progress to be proud of.

However, we need to continue showing leadership, and pursuing excellence in safety.

This means being mature enough to work together with long term strategy, focus and perseverance, and supporting each other in this journey even as challenges arise.
Thank you
Looking forward to a safer, better railway

Jill Collis
Director for Health Safety Environment
London Underground and London Rail
Investment & Renewal

£1.6bn
A YEAR

• Our reputation for a strong investment record means we are trusted to deliver

• Investment in us means we can deliver more and get even better at doing so

Largest investment programme in the Tube’s history. Along with Crossrail & Network Rail, it is the largest in the country and one of the largest in Europe.
Engagement & Collaboration
Barriers/Challenges

#9 Break Down Barriers

Yes you can!
ORR’s revised H&S compliance and enforcement policy
Why review the Enforcement Policy Statement?

■ It is 2.5 years since the last review;
■ Results of review by the Attorney General’s Office;
■ A wish to:
  – make it more accessible - less “legal speak”;
  – be more representative of all our regulatory tools – too much focus on formal enforcement;
  – highlight our priority areas;
  – include reference to the Growth Duty from the Enterprise Bill;
  – lay out our processes for meeting the Victims Code and Killick judgement
■ BUT the principles of enforcement have not changed;
Progress to date

- Mostly presentational changes.

- Consultation draft undergone targeted consultation e.g. HSE, BIS, Whitehall Prosecutors Group, Govt National Investigators Group;

- Public consultation via the website;

- Feedback:
  - very positive, welcoming the changes;
  - some advice re clearer drafting
RIHSAC

Any further comments?
Europe update:
Focus on Fourth Railway Package
Implications for safety regulation

Martin Jones, Head of Railway Safety Policy, October 2015
What is the state of play?

- Legal text agreed by Member States
- Formal adoption by Parliament before end 2015?
- Three year transposition deadline from adoption date
- Option for additional year if individual states wish
- Cion and ERA working to January 2019

Three phases:

- Phase 1 (to October 2017): Development of secondary legislation and collaboration to get shared understanding on assessment processes, criteria and national rules
- Phase 2 (2018): “Shadow running”: informal ERA involvement in NSA-led consideration of applications; conclusion of co-op agreements
- Phase 3 (from 1 January 2019): ERA “one stop shop” for safety certificates and vehicle / type authorisations is live
What is the “Technical Pillar”? 

  - Safety certification of train operators
  - Safety authorisation of infrastructure managers
  - Certification of entities in charge of maintenance
  - Common safety methods, indicators and targets
  - Roles and responsibilities of national safety authorities and investigation bodies

  - Authorisation of rail vehicles, infrastructure and signalling
  - Technical specifications for interoperability / national rules
  - Conformity assessment bodies (NoBos and DeBos)

  - Tasks and working methods of the Agency
  - Structure and resourcing of ERA and its working groups
Why change the Directives?

■ Good question – many stakeholders prefer continuity supported by clearer enforcement of current EU legislation

■ According to the European Commission:
  – Growth in EU rail is moribund (except UK) compared to other modes
  – New entrants and competition is the answer
  – Certification and authorisation processes are a barrier to market entry
  – Multiplicity and lack of harmonisation of process is inefficient compared to other modes
  – Divergent levels of safety performance a concern in own right…
  – …and are a pretext / justification for blocking mutual recognition
  – Industry examples of new equipment / services being blocked / delayed

■ Safety certification and vehicle authorisation focus of change
What is changing?

- Single EU Safety Certificate (no more Part As and Bs)
- ERA decision-making role in safety certification and vehicle authorisation
  - For all cross-border applications
  - For domestic-only applications by choice of applicant
- Supported by mandatory ERA-NSA co-operation agreements
- EU “One Stop Shop” for all applications
- ERA “system authority” for ERTMS = approval of tenders
- Probable extension of ECM certification to all vehicles
- Possible extension of driver licensing to other crew
- European Vehicle Register
What will stay the same?

- An awful lot – not a radical change as per ROGS
- RU and IM share system safety responsibility (with some new “actors” identified)
- Safety permissioning based on high-level assessment of SMS
- General structure and content of TSIs and CSMs
- Assessment process and timescales broadly same (except international); tweaks to assessment criteria
- IM safety authorisation done by ORR
- All supervision carried out by NSAs; must be risk-based
- Interop authorisation of infrastructure projects (including CCS) by ORR
- National rules: progressive elimination; retention in limited circumstances; scrutiny by ERA
- Accident investigation bodies: no substantive changes
Priority open issues

- Linking “supervision” (by ORR) and “assessment” (by ERA)
- Reaching multiple NSA consensus on assessment outcomes
- Transitional arrangements for current auth / cert holders
- Development of ERA competence, resources and IT systems
- ERA fees for applications (and NSA recharging for advice)
- Assessing how many applications will be made to ERA vs NSAs
  - Number of genuine cross-border proposals?
  - How many domestic applicants will choose ERA assessment?
- Impact on RISC, NSA network and ERA working groups of reduced role for MS in voting TSIs, CSMs and CSTs
- Many other points in the detail
ORR approach / next steps

- **International**
  - ORR chairing ERA / NSA group developing co-operation mechanisms
  - Influencing development of secondary regulations (e.g. new CSMs)
  - Providing advice / expertise to help ERA prepare (e.g. learning cases)

- **Domestic**
  - More in-depth legal and policy analysis of new legislation
  - Review of UK national rules notifications (with RSSB) well progressed
  - Developing understanding internally (Board in November) and across industry
  - Collaboration with DfT on revised regulations on safety (ROGS) and interop (RIR)
  - Working with industry on practical transition (possible steering group)
  - Channel Tunnel
How you can help

- Influencing secondary legislation: Input to our consideration of EU proposals

- Preparing ERA: Ideas for “learning cases” / “shadow running”

- Guiding implementation: Participation in any UK steering / consultation groups we might set up

- Early engagement: Flagging areas of concern / challenge / ambiguity
Leading Health and Safety on Britain’s Railway –
A strategy for working together
Why create a Rail Industry Health and Safety Strategy?

- We had a Rail Industry Safety Plan before....
- It now ‘feels’ like a gap
- The challenge was raised, the question was asked of industry, the answer ‘yes’ was broadly unanimous
- Leaders recognise that a focus on promotion of leadership and commitment to a cross-industry collaborative approach to health and safety has potential for benefit
- Industry recognises it needs to work better together to deliver improved health and safety performance
- ORR - supportive and potentially demanding of the strategy
- Trilogy of Industry strategies: Rail Technical Strategy, H&S Strategy, People – skills and capability Strategy
Industry agreed the following:

The strategy will be:

- Developed for the long term
- Focussed on areas where collaboration can deliver benefits
- Use ambition driven goals, not quantitative targets
- Designed to clarify and signpost, not to replace existing strategies
- A signpost document clarifying safety management in the railway
- Cover the entirety of the GB railway, including depots and sidings

The strategy will not be:

- An all encompassing risk reduction strategy or plan
- Written to replace individual SMS holders responsibilities for their own risk management
- A wrapper for all health and safety activities
- A set of targets
Industry agreed 3 primary goals:

1. To provide a focus for leadership in key areas where increased collaboration will deliver benefits
2. To suggest/identify collaborative strategies where cross-industry actions will deliver improved management of health and safety risk
3. To be a reference point for how health and safety is managed on the modern railway
## What have we done?

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<tr>
<th>Dates</th>
<th>Activity</th>
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<tbody>
<tr>
<td>Oct 2014</td>
<td>NR Chief Exec proposed to RDG that GB mainline railway should have a H&amp;S Strategy</td>
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<tr>
<td>Jan 2015</td>
<td>Industry leaders workshop – discussed the merits/purpose of a strategy. Outcome was positive with clear goals and scope</td>
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<td>April 2015</td>
<td>Concept endorsed by ISM</td>
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<td>May 2015</td>
<td>Engaged (very small) project team. RSSB funding secured</td>
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| June - August 2015 | Co-creation of content
Extensive interviews, consultation and collaboration: with recognised experts, organisational representatives, industry groups
Early drafts for consideration by the above/wider industry. |
| September 2015     | Further consultation/editing and evolution
Developed ‘look’ and ‘feel’ and final draft                             |
| October 2015       | ISM – strategy ‘endorsed’.                                               |
Structure of the strategy

- Forward
- Introduction
- Working together
- How is health and safety managed on the modern railway
- Improving our management capability
- Governance, monitoring and review
- Priorities for working together
Forward – Leadership Commitments

- Understand, endorse and champion the strategy, and communicate it within their own organisation
- Review and adjust company health and safety policy plans
- Help establish recognised cross-industry arrangements to facilitate delivery
- Empower teams to engage with and support agreed cross-industry arrangements to address identified risks and improvement opportunities
- Lead specific workstreams or activities
- Set up and participate in arrangements to review the strategy
On 12 key priority areas—shown by risk to passengers, workforce, and public—shown by maturity of collaborative activity and risk reduction opportunity.
Working Together – maturity of collaboration

The strategy will be:

**Embryonic**
- Potential risk benefits not understood
- Cost seen as a barrier
- Safety seen as single duty holder issue
- Cooperation limited to meeting legal requirements

**Understanding**
- Potential risk benefits understood by experts
- Collaborative approaches being developed
- Some parties collaborating

**Maturing**
- Potential risk benefits understood
- Collaboration seen as cost saving
- Most parties involved
- Collaboration delivering some safety benefits

**Embedded**
- Industry culture of collaboration
- Collaborative working at all levels is delivering benefits
- Safety decisions made as industry rather than single party
How is health and safety managed on the modern railway?

The strategy will be:
Improving our management capability

Priorities for improvement

- Design and change management
- Develop and implement next generation of reporting systems and risk models
- Improve our approach to health and safety cooperation
- Develop more effective assurance
- Improve learning, sharing and horizon scanning
- Develop and implement smart supplier capability assessment and information
- The next generation of rules and standards
- Develop our people
- Benefit from new technology
Priorities for working together

Vision
Further professionalising station management, by adopting more consistent management practices, will deliver demonstrable benefits, both operational and safety related.

The incidence of slips, trips, and falls; and PTI incidents will be reduced. Operational inconsistencies between and within companies will be eliminated, such as in ticket gate line operations or dispatch arrangements. Rail companies will work together to eliminate counterproductive operational inconsistencies and develop approaches based on shared good practices for passenger management, and station design and management arrangements.

All affected parties will be involved at all stages of station redevelopment. They will work together to reduce disruption due to the construction works, and ensure that the final designs are capable of dealing with the increased passenger numbers expected over the next 10 years (and beyond).
Next steps

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<tbody>
<tr>
<td>Oct – Early Dec</td>
<td>Final consultation: wider industry leaders, subject matter experts, HSE professionals and industry groups</td>
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<tr>
<td>Early Dec</td>
<td>Final draft complete</td>
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<tr>
<td>Mid Dec</td>
<td>Individual company endorsement</td>
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<tr>
<td>Jan 2016</td>
<td>Final publication</td>
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<tr>
<td>On-going</td>
<td>Inform IiP</td>
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