



OFFICE OF RAIL REGULATION

Assessment criteria for non-mainline safety certificate and safety authorisation applications

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Introduction

Application of the criteria

New applications

1. Part 2 of the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS) sets out in regulations 5, 6, 7 and 10 and Schedules 1 and 2 the information an applicant must provide when applying for a first safety certificate or safety authorisation. The following assessment criteria provide guidance to help ORR assessors judge whether the information satisfies the requirements of the Regulations. Ultimately, interpretation of the Regulations is a matter for the courts, but where an applicant supplies information which meets the criteria set out below, ORR will generally accept this as sufficient to issue of a certificate or authorisation.

Renewal or amendment applications

2. For amendment applications the criteria should be applied selectively depending on the nature of the alterations to the operation and the consequential changes arising from them. In the case of renewal applications the criteria should be applied selectively depending on changes to information previously sent to ORR for the first application.

The assessment process and overall regime

3. The underpinning approach of ROGS is based on the Railway Safety Directive. It seeks evidence of the management capability of an applicant to operate safely, rather than requiring the applicant to make a case for safety as did the Railway (Safety Case) Regulations 2000. The duty under ROGS is a high level one, and consequently these criteria seek significantly less evidence in an application than might have been submitted previously for a safety case. This makes it a simpler and quicker process. It should nevertheless be applied consistently, and inspectors should be looking for high quality applications. A satisfactory application will provide:

- clear and coherent evidence that there is a safety management system (SMS) in place capable of delivering safety; and

- 'signposts' to where more detailed information can be found in the form of specific references to named company procedures and standards.

4. The assessment process will test the evidence submitted in applications and provide confidence in the applicant's capability. This is done in two ways. Firstly by an examination of application documents before the issue of a certificate or authorisation and then a more detailed verification through inspection after they have been issued. The overall regime is therefore rigorous and well-balanced between a paper-based assessment of systems, and checking and testing on the ground.

Risk of serious accidents

5. The safety certification/authorisation regime applies to an industry which has a high potential for accidents that result in multiple fatalities. Priority is therefore given to the prevention of serious accidents. This is in line with the requirements of the Railway Safety Directive, which applies to the mainline railway. A non-mainline railway operator should be able to demonstrate that its SMS can control the risks which might lead to serious accidents. Applied robustly and scrupulously, the SMS is one way that ORR can be satisfied that such risks are being controlled.

Structure of the criteria

6. The assessment criteria for non-mainline infrastructure managers and transport undertakings (collectively known as transport operators) are amalgamated into a single table as many non-mainline criteria are common to both. Criteria that apply specifically to one and not the other are clearly identified.

7. Each individual criterion is structured in the following way, with further explanation of requirements provided below:

- the legal duty in ROGS from which the criterion is derived (these may be different for infrastructure managers and transport undertakings in some instances);
- a statement of the criterion;
- a brief description of the purpose of the criterion;
- evidence that the applicant is generally expected to cover in a narrative summary (see paragraph 8) (including any additional evidence needed to support either an infrastructure manager's or a transport undertaking's application (or both in the case of an integrated railway); and
- a list of topics which might be selected for inspection, against which inspectors may verify the application after a certificate or authorisation has been issued (see paragraph 14).

Expected evidence

8. The evidence that ORR expects applicants to submit to fulfil each criterion should comprise:

- a concise narrative summary which provides an overview of the subject; and
- a description of how the applicant manages that aspect of its operation.

9. Whenever the assessment criteria refer to an “overview”, “summary” or “description”, all these terms mean a low level of detail. The evidence should refer by name to

- company procedures and specific parts of the SMS where further details can be found; and
- relevant industry standards.

10. Applicants should **not** provide copies of these documents themselves, or of their risk assessments. Overall, the evidence should seek to address the legal duty and the statement of the relevant criterion. It should also have regard for the description of the purpose of that criterion. When all criteria have been addressed in this way, an application is complete.

11. It is likely that for some applications not all the listed items of evidence will be relevant. Applicants and assessors should exercise common sense in determining which aspects need to be addressed.

12. Where an assessor is not satisfied that the evidence provided is of suitable quality, or covers all the necessary ground, the lead assessor should seek further information from the applicant. However, it is expected that the lead assessor meets the applicant to discuss the perceived problem and its solution before the applicant submits further information. Once submitted, further information forms part of the application.

Supporting evidence

13. ORR expects an applicant to have a developed safety management system and associated procedures in place to underpin the high-level information provided in an application. We also expect an applicant to refer to these extensively in the application. As well as the ‘further information’ referred to above, an assessor may request supporting evidence in order to be fully convinced of the applicant’s capability. This is likely to occur in cases where the applicant is not known to us or an existing dutyholder proposes to run an operation significantly different from its current one. This ‘supporting evidence’ would take the form of further details of the systems or procedures described in the application, a copy of an existing procedure, or an example of a report. Applicants should be aware of this and be capable of responding rapidly to such requests. Contrary to ‘further information’ referred to above, ‘supporting evidence’ does not form part of an

application. Assessors should therefore be clear whether they are asking for 'further information' or 'supporting evidence'.

Potential inspection issues

14. Accompanying each criterion is a list of potential inspection issues, which may be pursued in ORR's inspection programme after the certificate and/or authorisation has been issued. In some instances further potential inspection issues specific to either infrastructure managers or transport undertakings are also identified. Priorities for inspection will in general be governed by ORR's business planning and, more specifically, knowledge of the applicant's safety performance. Inspectors and applicants should therefore regard this as a guide only and not a prescriptive list. In some circumstances the list may also be used as an indication of items which might be selected as supporting evidence as described in paragraph 13. But it should be noted that, in general, inspection issues will be pitched at a greater level of detail.

Assessment timescale

15. Assessors should note that the Regulations require ORR to notify the applicant of its decision within four months of receiving an application. But we are entitled to 'reset the clock' each time further information is received. It is our policy to meet this four-month deadline without resetting the clock, although there may be exceptions where there is a good reason. Chapter 4 of the [Assessment Manual](#) provides further details. Assessors should therefore only seek to request further information and supporting evidence at certain points in the process to avoid prolonging it unnecessarily. Again Chapter 4 of the Assessment Manual gives further details.

Too much evidence

16. The safety certificates and authorisations regime is intended to be a higher level process requiring less detail in an application than the former Railway (Safety Case) Regulations 2000. Detailed evaluation of an applicant's procedures and arrangements for safety is best carried out at inspection. The lengthier and more detailed the application, the more administratively complex it will be for both ORR and the applicant. Therefore if the lead assessor judges the evidence to be significantly in excess of what the criteria require, he or she may limit the assessment to what is required and inform the applicant accordingly.

Proportionality

17. Assessors should consider whether the evidence provided by the applicant for each criterion is in proportion to the overall level of risk arising from the operation. This is a qualitative judgement, but should be based on the information provided to satisfy Criterion 1 (Type and Extent of Operation) and on any

relevant information already held by ORR relating to the operation. In general, smaller or lower risk operators will not need to submit as much evidence. A further factor in this consideration is that small operations have considerably simpler management structures, which can be described in an application much more quickly and easily.

Freedom of information

18. In considering what material applicants provide as evidence, they should be aware that anything they submit to ORR is subject to disclosure under the Freedom of Information Act (2000). Applicants should therefore try to avoid submitting information of a sensitive nature. Where they cannot avoid submitting commercially or personally confidential information it should be clearly indicated to assist filtering by ORR, as there are exemptions for such material.

Important: using this document

- Text shown in the boxes with white background is applicable to both Infrastructure managers and transport undertakings.
- Text in boxes with blue background is applicable to infrastructure managers only.
- Text in boxes with yellow background is applicable to transport undertakings only.
- Where a railway is vertically integrated with an infrastructure manager and a transport undertaking then the text in all boxes (white, blue and yellow) is applicable.

Criterion 1: Type, extent and particulars of operation (NMC1)

<p>Legal duties</p> <p>(ROGS)</p>	<p>For infrastructure managers only</p> <p>Regulation 10(1)(b)(i)</p> <p>An application for a first safety authorisation in respect of infrastructure shall set out particulars of the infrastructure in question.</p>
	<p>For transport undertakings only</p> <p>Regulation 7(1)(b)(ii)</p> <p>An application for a first safety certificate in respect of an operation shall, subject to regulation 17(1) and (2), include the information set out in Part 2 of Schedule 2 in respect of a non-mainline application.</p> <p>Schedule 2, Part 2, paragraph 3: Information to be included for a non-mainline application</p> <p>Particulars of the type and extent of the operation in respect of which the application is made.</p>
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should describe the type and the extent of its infrastructure /operation or proposed infrastructure/operation.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The description is crucial to demonstrating that the safety management system (SMS) will ensure compliance with relevant statutory provisions and is appropriate to the size and nature of the railway infrastructure or operation. It sets in context the activities from which hazards are most likely to arise, and the potential scale of the resulting risks.</p> <p>The level of description should be sufficient to enable the assessor to determine whether the SMS described later in the application is appropriate to the size, type and scale of the railway infrastructure or operation.</p>

	<p>Summary details of the type and extent of operations will be included in the authorisation or certificate when issued. Where an application for an amended authorisation or certificate is made, this information will allow the assessor to fully appreciate the scope of the proposed alterations to the operation. For this reason, it is important that the description is accurate and where assessors doubt the accuracy, they should question it.</p>
<p>Evidence</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Evidence demonstrating how the applicant meets this criterion should include:</p> <ul style="list-style-type: none"> • information about the nature of the operation (i.e. for transport undertakings - passenger, freight, suburban, intercity, rural, etc.); • the geographical boundaries, possibly including a map; • details of ownership of the company (where relevant, identifying any other applicants within the same group of companies who have a safety certificate or authorisation); • approximate numbers of total employees (including contractors), and of safety-critical staff; and • interfaces with other railway operators or infrastructure.
	<p>For infrastructure managers only</p> <ul style="list-style-type: none"> • type of signalling equipment and control systems; • features or structures which have a bearing on safe operation e.g. level crossings, significant rail junctions, stations, tunnels, etc. These should be listed by category only, unless there are exceptional risk factors associated with them when they should be referred to individually, with an indication of what those risk factors are; and • where the scope and range of the applicant's activities cannot be easily summarised within the submission, reference to appropriate supporting documentation may be used.

	<p>For transport undertakings only</p> <ul style="list-style-type: none"> • type of trains/vehicles; • size of fleet; • nature of freight (tonnage of loads, classes of dangerous goods etc.); • typical number of daily movements; and • passenger journeys per year or (freight operations) train miles per year.
<p>Potential inspection issues</p>	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • review accuracy of information provided against local knowledge and existing documents.

Criterion 2: Safety management system overview (NMC2)

Legal duties

(ROGS)

For both infrastructure managers and transport undertakings

Regulation 6(1) (b), Regulation 6(1) (e)

The requirements for a safety management system (SMS) are that

- it meets the requirements and contains the elements set out in Schedule 1, adapted to the character, extent and other characteristics of the operation in question; and
- all parts of it are documented.

Schedule 1 paragraph (1) (a)-(d) & paragraph 2(a): Safety management system

The SMS shall:

- a) describe the distribution of responsibilities, within the operation, for the SMS;
- b) show how control of the SMS by the management on different levels is secured;
- c) show how persons carrying out work or voluntary work directly in relation to the operation and their representatives on all levels are involved with the SMS; and
- d) show how continuous improvement of the SMS is ensured.

The basic element of an SMS is a statement of the safety policy which has been approved by the chief executive and communicated to all persons carrying out work or voluntary work directly in relation to the operation.

For infrastructure managers only

Regulation 10(1)(b)(ii)

- an application for a first safety authorisation in respect of infrastructure shall set out particulars of how the SMS of the applicant meets the requirements in regulation 6 in relation to a non-mainline application.

For transport undertakings only

Regulation 7(1)(b)(ii)

An application for a first safety certificate in respect of an operation shall include the

	<p>information set out in Part 2 of Schedule 2 in respect of a non-mainline application.</p> <p>Schedule 2, Part 2, paragraph 4: Information to be included for a non-mainline application</p> <p>Particulars of how the SMS of the applicant meets the requirements set out in regulation 6.</p>
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should provide an overview of its SMS, demonstrating that it has adequate arrangements in place.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>This is to demonstrate that the overall system is adequate to satisfy the requirements of ROGS and equivalent duties under the Management of Health and Safety at Work Regulations 1999. This requires:</p> <ul style="list-style-type: none"> • an explanation of the policy, organisation and high level arrangements of the applicant's SMS; and • more detailed arrangements regarding employee involvement, management accountability and continuous improvement. <p>Together these provide a framework within which the other, more specific, aspects of the SMS required by the Regulations can be assessed.</p>
<p>Evidence</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Evidence demonstrating how the applicant meets this criterion should include:</p> <ul style="list-style-type: none"> • a copy of the applicant's safety policy statement, which has been approved and signed by the Chief Executive, together with a description of how this policy has been communicated to all employees; • reference to any recognised model which the SMS adheres to, or links with, other recognised management requirements or principles (for example the Management of Health and Safety at Work Regulations 1999, Approved Codes of Practice, HSG65, BS 8800 and OHSAS 18001); • details of where and how the SMS is documented, including references to supporting documentation (actual copies are not required);

	<ul style="list-style-type: none"> • an organogram showing the applicant’s SMS structure, allocation of roles and responsibilities; and • a brief descriptions of : <ul style="list-style-type: none"> ▪ how the SMS is integrated with other management activities; ▪ how those with a role in the management of safety are held accountable for their performance; ▪ how employees and their representatives at all levels within the applicant organisation are involved in the SMS(where appropriate this should include reference to volunteer workers); ▪ how safety performance is monitored and identified shortcomings are rectified; and ▪ how new safety developments and lessons learnt from incidents etc. are implemented.
	<p>For infrastructure managers only</p> <ul style="list-style-type: none"> • evidence of how the SMS of infrastructure managers takes into account the effects of operations of transport undertakings.
<p>Potential inspection issues</p>	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • leadership, aims and setting of specific safety objectives; • safety resource allocation and planning of improvements; • promotion of safety culture; • allocation of roles and accountabilities; • quality of cooperation with and from staff and representatives; • ability to identify and assimilate new standards; • procedures and mechanisms that the applicant uses to control risks so far as is reasonably practicable; • demonstration of effective implementation of improvements (safety and/or SMS) following recommendations arising from a recent incident investigation;

- evidence of how employee involvement helped achieve improved risk control;
- details of how the management of a particular safety issue has been integrated into the wider management arrangements; and
- a demonstration of how a significant change to the company's risk profile was managed.

Criterion 3: Legislative requirements (NMC3)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Regulation 6(1)(a) - The requirements for a safety management system</p> <p>The safety management system (SMS) is adequate to ensure that the relevant statutory provisions which make provision in relation to safety will be complied with in relation to the operation in question.</p> <hr/> <p>For transport undertakings only</p> <p>Regulation 7(1)(b)(ii)</p> <p>An application for a first safety certificate in respect of an operation shall include the information set out in Part 2 of Schedule 2 in respect of a non-mainline application.</p> <p>Schedule 2, Part 2 (5)(a) - Information to be included for a non-mainline application are:</p> <ul style="list-style-type: none"> • information on the relevant statutory provisions which make provision in relation to safety which are applicable to the operation; and • an explanation of how compliance with these requirements is ensured by the safety management system.
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should show that it is aware of relevant statutory provisions which apply to the safety of its operation and general health and safety relevant to its activities and should be able to demonstrate how these are complied with through its SMS.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>To give confidence that the applicant</p> <ul style="list-style-type: none"> • is aware of legislation in relation to the safety of its infrastructure/operation and other relevant health and safety legislation; • can demonstrate that through its SMS; and

	<ul style="list-style-type: none"> • has the capability of applying and ensuring compliance.
Evidence	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should provide evidence that it is aware of its statutory responsibilities applying to its operation. The format in which this information is presented is at the discretion of the applicant, but it must be structured and straightforward to reference. Preferably this should be grouped into functional categories relevant to the operation (for example track integrity, maintenance, contractors, emergency management, new projects, health and safety of employees, etc.) With reference to information provided in criterion 2, the applicant should show how compliance is ensured by the SMS, stating where any relevant overarching managerial responsibility lies.</p>
Potential inspection issues	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • detailed inspection of systems and procedures for ensuring compliance with relevant legislation applying to the applicant’s operation; and • demonstration of how the SMS brought about corrective action when it was found that important legal requirements were not being properly adhered to.

Note: ‘relevant statutory provisions’ include:

- provisions directly relevant to the safety of an applicant’s transport operations;
- general duties under the Health and Safety at Work etc. Act 1974 (and Regulations made under it);
- the Level Crossings Act 1983; and
- provisions in the Transport and Works Act 1992.

Criterion 4: Control of all categories of risk and risks arising from activities by other persons (NMC4)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Regulation 6(1)(c) & (d)</p> <p>The requirements for a safety management system (SMS) are that it ensures the control of all categories of risk associated with the operation in question which, without prejudice to the generality of the foregoing, shall include such risks relating to the-</p> <ul style="list-style-type: none"> (i) supply of maintenance and material; and (ii) use of contractors; and <p>it takes into account, where appropriate and reasonable, the risks arising as a result of activities carried on by other persons.</p>
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should outline how the SMS ensures the control of all categories of risk relevant to its infrastructure / operation which should include:</p> <ul style="list-style-type: none"> (i) the supply of maintenance and material; and (ii) the use of contractors. <p>It should also, where appropriate and reasonable, show how it takes into account the risks arising from activities of other persons.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>This criterion is concerned with the applicant being able to demonstrate that it has the ability to identify, assess and control risks which arise both from its own activities and those caused by others. This is not simply a question of risk assessment and neither does it require a list of all risks or categories of risk relevant to the applicant. But the applicant is required to show how its systems and procedures are designed and organised to facilitate the assessment of risks and</p>

their subsequent control.

Regulation 6(1) (c) clarifies that the general issue of "control of all categories of risk associated with the operation" should include the specific points about supply chain issues in (i) and (ii) above. This criterion seeks high level information to satisfy the overall point on controlling risks, with a general overview of arrangements and procedures for points (i) and (ii).

In relation to the requirements to control risks from:

- new or altered infrastructure (paragraph (iii) of regulation 6[c]); or
- placing into service of new or altered vehicles,

specific evidence for safety verification arrangements should be provided to meet Criterion 7: 'Control of new risks'.

The duty in regulation 6(d) follows on from this in that it is another category of risk, but for risks which may arise from activities which are not directly associated with the running of the operation, for example trespassers and road users. The criterion will be satisfied if the high-level points about managing risk are shown to be relevant to this type of risk, plus an indication of any special arrangements in place that were not being properly adhered to.

Evidence

For both infrastructure managers and transport undertakings

Evidence demonstrating how the applicant meets this criterion should include a summary of:

- how it identifies risks associated with its operations;
- how it identifies risks arising from the activities of 'other persons';
- how it selects the appropriate method of risk assessment;
- how it goes about controlling risk in terms of selecting appropriate risk mitigation measures, devising & implementing management procedures and providing appropriate training;
- particular arrangements and procedures for controlling risk from the supply of maintenance and material and the use of contractors; and

	<ul style="list-style-type: none"> the systems for monitoring the effectiveness of risk management arrangements.
<p>Potential inspection issues</p>	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> the applicant's risk assessment; an audit of risk management arrangements for any relevant risk or category of risk; an audit of any component of risk management arrangements across all or a selection of risks (for example planning or implementing); and how the applicant ensures the control of risks from: <ul style="list-style-type: none"> (i) maintenance in a safety critical area of work; (ii) the supply of material in a safety critical area of work; and (iii) the use of contractors in safety critical operations.

Criterion 5: Procedures to meet technical specifications and procedures for operations and maintenance (NMC5)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Regulation 6(1)(b)</p> <p>The requirements for a safety management system (SMS) are that, subject to paragraph (7), it meets the requirements and contains the elements set out in Schedule 1, adapted to the character, extent and other characteristics of the operation in question.</p> <p>Regulation 6(7) and paragraph 2(c) of Schedule 1</p> <p>The basic elements of an SMS are procedures:</p> <p>(i) to meet relevant technical specifications; and (ii) relating to operations or maintenance,</p> <p>insofar as they relate to the safety of persons, and procedures for ensuring that the procedures are followed throughout the life-cycle of any relevant equipment or operation.</p>
	<p>For transport undertakings only</p> <p>Regulation 7(1)(b)(ii)</p> <p>An application for a first safety certificate in respect of an operation shall include the information set out in Part 2 of Schedule 2 in respect of a non-mainline application.</p> <p>Schedule 2, Part 2, paragraph 5(b)</p> <p>Information to be included for a non-mainline application are:</p> <ul style="list-style-type: none"> • information on the technical specifications and procedures relating to operations and maintenance that are relevant to the safety of the transport system which the applicant proposes to follow; and • an explanation of how compliance with these requirements is ensured by the safety management system.
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should show that it is aware of the technical aspects it needs to</p>

	<p>address to ensure the safety of its infrastructure or operation and describe how its SMS is able to deliver procedures to meet relevant technical specifications and procedures providing for safe operation and maintenance.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>To demonstrate that the applicant has adequate</p> <ul style="list-style-type: none"> • knowledge of technical specifications relating to safety; • systems in place to produce and monitor procedures to meet technical specifications; and • systems in place to produce and monitor procedures for operations and maintenance relevant to safety <p>To explain how systems deliver corrective actions when specification are not met or procedures are not followed.</p>
<p>Evidence</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Details of the SMS should outline:</p> <ul style="list-style-type: none"> • the system by which procedures are produced and subsequently monitored, with particular reference to how these are applied throughout the lifecycle of any relevant equipment or operation; and • how the SMS delivers corrective action when it is found that specifications and/or procedures are not being adhered to. <p>For infrastructure managers only</p> <ul style="list-style-type: none"> • no lists of any technical specifications or procedures are required as these will form part of the evidence for criteria 14-16. <p>For transport undertakings only</p> <ul style="list-style-type: none"> • summary information on the technical specifications and procedures relating to operations and maintenance that is relevant to the safety of the applicant's transport system. These specifications and procedures do not need to be individually listed but should be grouped under suitable headings indicating their

	source and status.
Potential inspection issues	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • detailed inspection of systems for ensuring compliance with technical specifications and operational/maintenance procedures for any part of the applicant's operation; and • demonstration of how the SMS brought about corrective action when it was found that specifications or operational/maintenance procedures were not being properly adhered to.

Criterion 6: Targets (NMC6)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Regulation 6(1)(b)</p> <p>The requirements for a safety management system (SMS) are that it meets the requirements and contains the elements set out in Schedule 1, adapted to the character, extent and other characteristics of the operation in question.</p> <p>Schedule 1, paragraph 2(b)</p> <p>The basic elements of a safety management system are qualitative and quantitative targets for the maintenance and enhancement of safety and plans and procedures for reaching those targets.</p>
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should describe the process for setting quantitative and qualitative targets for maintaining and improving safety, and show how its SMS ensures that they can be reached.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>One of the fundamental purposes of ROGS is to develop and improve rail safety across the various railways within the UK. It is by setting and achieving safety targets that this improvement can be driven forward.</p> <p>Where infrastructure managers are independent of any transport undertaking running on their infrastructure, they will need to ensure that targets have been set to measure the effects of their operations.</p>
<p>Evidence</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Evidence demonstrating how the applicant meets this criterion should include:</p> <ul style="list-style-type: none"> • a brief description of the process for setting targets, including whether this takes

	<p>into account any industry-wide or national targets;</p> <ul style="list-style-type: none"> • reference to the company documents which list and describe targets; and • a brief explanation of how the SMS ensures that plans for meeting targets are put into action, including what action is taken when a target is not met or it becomes apparent that it will not be met.
	<p>For infrastructure managers only</p> <ul style="list-style-type: none"> • where transport undertakings operating on their infrastructure are independently controlled an indication of how this process takes into account the effect of their operations.
<p>Potential inspection issues</p>	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • information on actual targets; • procedures for monitoring targets and implementing remedial action when these are not being achieved; • demonstration of how the SMS enabled an important target to be achieved; and • trends, changing targets how these are being monitored and what remedial actions have been taken.

Criterion 7: Control of new risks (NMC7)

Legal duties

(ROGS)

For both infrastructure managers and transport undertakings

Regulation 6(1)(b)

The requirements for a safety management system (SMS) are that it meets the requirements and contains the elements set out in Schedule 1, adapted to the character, extent and other characteristics of the operation in question.

Schedule 1, paragraph 2(d)

The basic elements of an SMS are procedures and methods for carrying out risk evaluation and implementing risk control measures when-

- (i) there is a change in the way in which the operation in question is carried out; or
- (ii) new material is used in the operation in question

which gives rise to new risks in relation to any infrastructure or the operation being carried out.

Reg. 6(1)(c)(iii)

The requirements for an SMS are that it ensures the control of all categories of risk associated with the operation in question which, without prejudice to the generality of the foregoing, shall include such risks relating to the placing in service of new or altered vehicles or infrastructure the design or construction of which incorporates significant changes compared to any vehicles or infrastructure already in use on the transport system and which changes would be capable of significantly increasing an existing risk or creating a significant safety risk.

Reg. 6(4)

In regulation 6(1)(c)(iii) where such new or altered vehicles or infrastructure are intended to be placed into service, then before that placing in service the transport operator shall ensure that he-

- a) has an established written safety verification scheme which meets the requirements and contains the elements set out in Schedule 4; and
- b) has appointed a competent person to undertake that safety verification, and the competent person has undertaken that safety verification in relation to

	<p>the new or altered vehicle or infrastructure.</p> <p>Regulation (2)(1)</p> <p>“Placed in service” means when a vehicle or infrastructure, having been constructed, upgraded or renewed, is first operated in the provision of a transport service, and in ascertaining when this takes place no regard shall be had to any trials or testing that take place to the vehicle or infrastructure, and cognate expressions shall be construed accordingly.</p> <p>Regulation 6 (6)</p> <p>The requirements of regulation 6(1)(4) shall apply in the absence of a transport operator to a responsible person as they would apply to a transport operator.</p>
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should summarise its systems for managing changes to the operation, and the use of new equipment or new materials, which introduce new risks.</p> <p>For Infrastructure managers this should include risks arising from transport undertakings operating on its infrastructure.</p> <p>The summary should include reference to the written safety verification scheme for the introduction of new or altered infrastructure/rail vehicles as appropriate, which create a significant risk or significantly increase an existing one.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>It is important for the applicant to be able to anticipate and respond to new risks which may arise in its operation. Its SMS should</p> <ul style="list-style-type: none"> • include procedures for evaluating these risks and implementing new risk control measures where appropriate; and • demonstrate compliance with the relevant risk assessment duties arising from regulation 19 of ROGS and the Management of Health and Safety at Work Regulations 1999. <p>This should cater for all types and levels of change - major and minor, permanent and temporary, immediate and long term. It should apply to changes in types of activity, equipment, procedures, organisation, staffing or interfaces which arise both</p>

in connection with the infrastructure and from transport undertakings affecting the infrastructure.

The process should allow for risks to be assessed in a proportionate and robust manner and for reasonably practicable control measures to be adopted.

The applicant should also address the requirement under ROGS to have a written safety verification scheme for :-

- new or altered infrastructure (for infrastructure managers only) where new or increased risks are involved; or
- new or altered vehicles (for transport undertakings only) where new or increased risks are involved.

Evidence

For both infrastructure managers and transport undertakings

Evidence demonstrating how the applicant meets this criterion should include:

- aims of the change management process;
- a summary of:
 - the scope of changes to which the process applies;
 - arrangements for promoting awareness of and ensuring use of the change management process;
 - the procedures and methods used to evaluate new risks and implement new control measures; and
 - process for validation of a change before it is introduced and checking it afterwards;
- a statement that a written safety verification scheme exists as required in relation to regulations 6(1)(c)(iii) and 6(4) of ROG, which contains the elements set out in Schedule 4;
- reference to the documentation which contains details of the scheme; and
- details of the 'competent person' for the purpose of undertaking safety verification, where one has been appointed.

Note: If, during the lifetime of the safety certificate or authorisation, an applicant does not intend introducing changes to infrastructure or rolling stock which will require safety verification, it is acceptable for it to make a statement to that effect. In these circumstances the applicant should provide evidence of how its change management arrangements facilitate the recognition that safety verification may be needed if there is any unforeseen change of circumstances.

For infrastructure managers only

- include a summary of how the procedures take into account the effect of any changes made to the operation of any transport undertaking.

Potential inspection issues

For both infrastructure managers and transport undertakings

- examination of the change process, with reference to recent or current examples;
- review of risk assessment methodologies to ascertain reasonable practicability of control measures adopted or proposed;
- examination of design and/or construction standards for a recent or current change;
- demonstration of how a recent change was managed, describing how an altered risk or new risk was identified and controlled through this system; and
- detailed examination of the safety verification scheme.

Criterion 8: Training and maintaining competence (NMC8)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Reg. 6(1)(b)</p> <p>The requirements for a safety management system (SMS) are that it meets the requirements and contains the elements set out in Schedule1, adapted to the character, extent and other characteristics of the operation in question.</p> <p>Schedule 1, paragraph 2(e)</p> <p>The basic element of an SMS is the provision of programmes for training of persons carrying out work or voluntary work directly in relation to the operation and systems to ensure that the competence of such persons is maintained and that they carry out tasks accordingly.</p>
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should summarise its arrangements for managing staff competence.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Competence plays a pivotal role in ensuring that activities are carried out satisfactorily. The need for competence extends to both front-line support (including contractors, consultants and suppliers of health and safety-related services) and management personnel. Management competence requirements are frequently overlooked, but managers make important decisions that can have fundamental and wide-ranging effects on health and safety.</p> <p>Adequate arrangements for managing competence should be in place and properly resourced. These should include provisions for</p> <ul style="list-style-type: none"> • training all staff to the required safety standards; • maintaining competency irrespective of whether a member of staff is full-time, part-time, paid or unpaid; and

	<ul style="list-style-type: none"> • monitoring levels of competency in relation to required standards.
Evidence	<p>For both infrastructure managers and transport undertakings</p> <p>Evidence demonstrating how the applicant meets this criterion should include a summary of:</p> <ul style="list-style-type: none"> • roles in the company with main responsibilities for ensuring training and maintaining competence; • the processes for recruitment, training, assessment, competence monitoring and record-keeping, indicating how all these contribute to achieving and maintaining competence; • the system which ensures that tasks with a safety element, including safety critical tasks, are identified; and • the arrangements which ensure that staff comply with their training and work instructions. <p>Note: If the applicant has a formal Competence Management System (CMS) the first two bullets can be addressed by:</p> <ul style="list-style-type: none"> • stating the aims of the CMS; • describing its structure; and • showing where overall responsibility has been assigned at senior management level.
Potential inspection issues	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • examination of the arrangements in relation to a particular group of staff carrying out safety critical tasks; • comparison of the applicant's processes with industry standards; • review of performance monitoring processes to test that standards are attained on the ground; • examination of competence records for certain staff;

- procedures for managing substandard performance;
- procedures for ensuring competence during periods of change (e.g. technical, procedural) and when staff change jobs (or volunteers are taken on);
- procedures for ensuring competence during degraded or abnormal operations;
- competence of senior managers in safety decision making;
- results of a recent incident investigation, providing evidence on performance of staff with respect to their required competencies;
- specific cases on how the standard and effectiveness of certain training has been evaluated and any actions that were taken as a result;
- how competence is defined and assessed for managers and supervisors responsible for safety-critical or safety-related workers; and staff undertaking safety- critical or safety-related work; and
- arrangements for keeping senior managers informed about training and competence issues.

Criterion 9: Safety information (NMC9)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Regulation 6(1)(b)</p> <p>The requirements for a safety management system (SMS) are that it meets the requirements and contains the elements set out in Schedule 1, adapted to the character, extent and other characteristics of the operation in question.</p> <p>Schedule 1, paragraph 2(f)-(h)</p> <p>The basic elements of an SMS are:</p> <ul style="list-style-type: none">• arrangements for the provision of sufficient information relevant to safety<ul style="list-style-type: none">(i) within the operation in question; and(ii) between the operator in question and any other transport operator or an applicant for a safety certificate or a safety authorisation who carries out or who intends to carry out operations on the same infrastructure;• procedures and formats for the documentation of safety information; and• procedures to control the lay out of, and changes to, vital safety information.
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should describe its arrangements for controlling, documenting and communicating sufficient safety information:</p> <ul style="list-style-type: none">(a) within its own operation; and(b) between it and any other transport operator who operates (or intends to operate) on the same infrastructure. <p>In both cases specific procedures for controlling the layout and making changes to vital safety information should be highlighted.</p>

Purpose	<p>For both infrastructure managers and transport undertakings</p> <p>The adequate management of safety information internally and the exchange of safety information between train and station operators and infrastructure managers is an essential part of the control of safety risks.</p>
Evidence	<p>For both infrastructure managers and transport undertakings</p> <p>Evidence demonstrating how the applicant meets this criterion should include a summary of:</p> <ul style="list-style-type: none"> • arrangements and procedures for the provision of safety information within its own operation. These should cover the receipt, identification, selection, dissemination and recording of information, and method and formatting of relevant documentation. It should also describe how any changes to existing information are controlled; • arrangements for the provision of safety information between it and other transport operators, including those applying for a certificate or authorisation for operations on the same infrastructure; and • arrangements for the layout of vital safety information and how changes to this information are managed.
Potential inspection issues	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • details of how notifications of safety information from or to the infrastructure manager or other transport operators are recorded and disseminated; • document version and change control procedures; • the documenting of notified faults and defect reporting and the use of this information; • the applicant's arrangements for the layout of vital safety information and a description of how changes to that information are managed; and • how and to whom sufficient information is communicated concerning the following: <ul style="list-style-type: none"> ▪ urgent issues affecting operational safety (arising both from within

the applicant's own operations and those notified by others);

- lessons learned from accident reports and incident investigations;
- emergency plans; and
- speed restrictions, diversionary routes, engineering works, single line working , out of course working, degraded operations, equipment failure and other significant defects.

Criterion 10: Accidents, incidents, near misses and other dangerous occurrences (NMC10)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Regulation 6(1)(b)</p> <p>The requirements for a safety management system (SMS) are that it meets the requirements and contains the elements set out in Schedule 1, adapted to the character, extent and other characteristics of the operation in question.</p> <p>Schedule 1, paragraph 2(i)</p> <p>The basic elements of an SMS are procedures to ensure that accidents, incidents, near misses and other dangerous occurrences are reported, investigated and analysed and that necessary preventative measures are taken.</p>
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should describe its procedures for ensuring that accidents, incidents, near misses and other dangerous occurrences are reported, investigated and analysed and that any necessary preventative measures are taken.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Arrangements for investigating and learning from accidents, incidents and near misses that could lead to harm are a central part of an effective health and safety management system. Accident and incident investigation procedures need to be sufficiently thorough and comprehensive to ensure that the underlying causes are clearly identified and that actions to rectify problems are implemented effectively. For near misses, the collection and analysis of data can provide real value to preventing accidents and incidents.</p> <p>For investigation arrangements to be adequate it is essential that incidents that have a potential to endanger people are examined effectively. Those that could lead to more serious consequences should be treated with a similar rigour to accidents that actually do cause harm. The investigation, the report and</p>

	<p>recommendations should cover not only the actions etc. of the principal dutyholder (applicant) but also of the infrastructure manager, any transport undertaking and any contractor that may be involved.</p> <p>The applicant also needs to demonstrate awareness of its statutory responsibilities for reporting accidents and incidents and how it acts on enforcement decisions made by ORR following accidents and incidents.</p>
<p>Evidence</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Evidence demonstrating how the applicant meets this criterion should include a summary of:</p> <ul style="list-style-type: none"> • procedures for reporting, investigation and analysis of accidents, incidents, near misses and other dangerous occurrences (this should cover procedures for reporting those accidents and incidents which are statutorily reportable to ORR and the Rail Accident Investigation Branch [RAIB]); • allocation of resources, and the training provided to those carrying out investigations; and • procedures for: <ul style="list-style-type: none"> ▪ implementing actions required by ORR following an official (ORR and/or RAIB) investigation; ▪ reviewing reports of accidents, incidents, near misses and dangerous occurrences received from all other sources, including employees, other transport operators, members of the public; and ▪ considering and implementing preventative measures following analysis and review of relevant information from all sources other than when directly mandated by ORR.
	<p>For infrastructure managers only</p> <ul style="list-style-type: none"> • how the investigation process takes into account any effects arising from the operations of transport undertakings.

Potential inspection issues

For both infrastructure managers and transport undertakings

- records of accidents, incidents or near misses;
- investigation reports, including investigation methodology to ensure identification of root causes/precursors;
- competence of investigators;
- suitability of and awareness (among operational staff) of near miss reporting criteria;
- information about how a real-life accident, incident or near miss was reported, investigated and analysed prior to taking any necessary preventive measures;
- how preventive measures identified as being required after an accident, incident or near miss were fully implemented;
- how employees or their representatives are involved in the investigation process; and
- how other operators have been involved in the investigation process.

Criterion 11: Emergency planning (NMC11)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Regulation 6(1)(b)</p> <p>The requirements for a safety management system (SMS) are that it meets the requirements and contains the elements set out in Schedule1, adapted to the character, extent and other characteristics of the operation in question.</p> <p>Schedule 1, paragraph 2(j)</p> <p>The basic element of an SMS is the provision of plans for action, alerts and information in the case of an emergency which are to be agreed with any public body, including the emergency services that may be involved in such an emergency.</p>
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should describe the main elements of its emergency procedures and how it interfaces with those of :</p> <ul style="list-style-type: none"> • the infrastructure manager or transport undertaking with which it operates (as appropriate); • public bodies (i.e. emergency services); • emergency service including Mountain Rescue and HM Coastguard; and • other transport undertakings which may need to respond as a consequence of an incident (for example by taking more passengers or making non-scheduled stops).
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Robust systems for emergency planning are essential for any dutyholder and must cover the information that needs to be supplied to the emergency services to enable them to draw up their major incident response plans. Also important are those aspects of the SMS that are directly relevant to the emergency response</p>

	<p>arrangements, for example training for emergencies and testing of emergency plans.</p> <p>The emergency procedures should also be capable of coordinating the actions of the infrastructure manager with transport undertakings using the infrastructure concerned.</p>
Evidence	<p>For both infrastructure managers and transport undertakings</p> <p>Evidence demonstrating how the applicant meets this criterion should include an overview of:</p> <ul style="list-style-type: none"> • the type of emergency covered; • the information supplied by the applicant to enable the emergency services to plan their response to a major accident on the railway, where appropriate, referring to duties under the Civil Contingencies Act 2004 (and Regulations made under it); • those specific aspects of the SMS that are directly relevant to the emergency response arrangements, e.g. training for emergencies and testing of emergency plans; and • the plans, roles & responsibilities, training and arrangements to maintain competence, and the arrangements for effective communication. <p>For infrastructure managers only</p> <ul style="list-style-type: none"> • how the infrastructure manager co-ordinates its procedures with those of the transport undertakings using its infrastructure and any other infrastructure manager, with which it has an interface. <p>Note: Where emergency procedures for any aspect of the applicants operation is covered by requirements of a Technical Specification for Interoperability (TSI), it will be sufficient to refer to compliance with that TSI.</p>
Potential	<p>For both infrastructure managers and transport undertakings</p>

inspection issues

- findings of risk assessments with respect to foreseeable emergencies;
- detailed procedures for liaison with the emergency services;
- records of emergency drills and exercises;
- arrangements for co-operation and co-ordination of action with other railway operators;
- attendance at emergency exercises;
- examination of an example of when the applicant's emergency response procedure was activated;
- an account of a test of emergency response procedures including any actions arising as a consequence; and
- details of a review of the applicant's emergency procedures indicating why it was reviewed and what improvements resulted from it.

Criterion 12: Audit (NMC12)

<p>Legal duties (ROGS)</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Regulation 6(1)(b)</p> <p>The requirements for a safety management system (SMS) are that it meets the requirements and contains the elements set out in Schedule1, adapted to the character, extent and other characteristics of the operation in question.</p> <p>Schedule 1, paragraph 1(d) and paragraph 2(k)</p> <ol style="list-style-type: none"> 1. The SMS shall show how continuous improvement of the SMS is ensured. 2. The basic elements of an SMS are provisions for recurrent internal auditing of the SMS.
<p>Criterion</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant should describe its provisions for internal auditing of the safety management system, and for ensuring continuous improvement in the SMS by reviewing its effectiveness using information including audit findings.</p>
<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>The existence of established audit systems (internal or external) independent of day to day operation of the railway is an essential part of the control of safety risks.</p>
<p>Evidence</p>	<p>For both infrastructure managers and transport undertakings</p> <p>Evidence demonstrating how the applicant meets this criterion should include an overview of:</p> <ul style="list-style-type: none"> • arrangements for the internal audit of the SMS and main risk control systems; • how audit findings are used to bring about improvement in the SMS (where relevant evidence is given to fulfil criterion 2, this may be cross-referenced);

- arrangements for regular reviews of the SMS carried out with a view to facilitating its continuous improvement; and
- the management of interfaces between the operations of transport undertakings with the infrastructure manager and vice-versa.

Note: “Audit” means a process by which the adequacy of the management system itself is assessed, providing evidence for a review of its structure and high level functions. This excludes routine monitoring arrangements for ensuring compliance with company procedures and standards.

Potential inspection issues

For both infrastructure managers and transport undertakings

Any part of the applicant's audit programme including:


- the purpose, scope, frequency and the distinction between audit and active monitoring (undertaken elsewhere);
- assigned responsibilities for the audit programme as a whole and for each audit within the programme;
- the resources and personnel required for each audit, bearing in mind the need for expertise, operational independence and technical support;
- the audit plan indicating how it has been prioritised on the basis of risk;
- the actual audit protocols to be adopted (which might include the use of questionnaires, checklists, open and structured interviews as well as checking documents, measurements and observations);
- the procedures for reporting the audit findings;
- the procedures for following up and tracking the implementation of recommendations shown to be necessary by audits;
- the procedures for reviewing the suitability and adequacy of the auditing arrangements themselves;
- examples of where an audit has brought about an improvement in the SMS; and
- examples of reviews of the SMS to demonstrate continuous improvement.

Criterion 13: Cooperation (NMC13)

Legal duties (ROGS)	<p>For both infrastructure managers and transport undertakings</p> <p>Note: Where the applicant is applying for a certificate and authorisation for a vertically integrated operation and there are limited interfaces with other transport operations this criterion will generally not apply and assessors should make judgements on the evidence provided accordingly.</p> <p>Regulation 6(2)</p> <p>The requirements in paragraph (1)(c) (see Criteria 4 and 7) shall be met where the safety management system (SMS) of a transport operator or an applicant for a safety certificate or a safety authorisation (“the first operator”) taken with that of any relevant transport operator is capable of meeting the requirements of the paragraph in question.</p> <p>Regulation 22(1)</p> <p>Every person to whom this paragraph applies shall cooperate as far as is necessary with a transport operator to enable him to comply with the provisions of these Regulations.</p> <p>Regulation 22(3)</p> <p>Every transport operator shall cooperate, insofar as is reasonable, with any other transport operator who operates on the same transport system where that other transport operator is taking action to achieve the safe operation of that transport system.</p>
Criterion	<p>For both infrastructure managers and transport undertakings</p> <p>The applicant shall provide an overview of how it cooperates with its transport undertaking(s) / infrastructure manager and how its SMS allows safe operation in accordance with statutory provisions, standards, technical specifications and any other provisions adopted by them to ensure safety of the system to comply with the Regulations.</p>

<p>Purpose</p>	<p>For both infrastructure managers and transport undertakings</p> <p>A key requirement of ROGS is regulation 22 in Part 3, which requires transport operators to cooperate as far as is necessary with other transport operators.</p> <p>Where a transport system is used and/or operated by applicants who are independently owned or controlled, the control of risk on that system will depend upon cooperation between those applicants. It is not possible for a single duty holder to operate safely without reference to other train operators or infrastructure manager (where this is a separate entity) and a dialogue must be maintained between them on how each proposes to manage the risks within its control which affect the other.</p> <p>A significant proportion of risk occurs at the interfaces between operators, such as those between wheel and rail or train and signal. The infrastructure manager has a key role, in that it is the infrastructure manager that determines and manages the environment within which trains operate, and to that extent the infrastructure governs the safe design and operation of trains.</p> <p>The infrastructure manager cannot determine issues in isolation and must therefore maintain a dialogue between itself and transport undertakings over</p> <ul style="list-style-type: none"> • how it permits compliance with rules and standards; and • how each proposes to manage the risks within its control which affect the other. <p>Similarly, transport undertakings may not unilaterally introduce safety methods which conflict with arrangements already in place, and so must engage in this dialogue. This criterion seeks evidence of the way this dialogue takes place.</p> <p>Note: where an applicant for a safety authorisation is an infrastructure manager by virtue of the fact that it is a ‘station(s) only’ operator, the only evidence it will have to submit for this criterion will be in relation to the way in which it operates stations through which other train operators run their services. Assessors should judge evidence provided accordingly.</p>
<p>Evidence</p>	<p>For both infrastructure managers and transport undertakings</p>

	<p>Evidence demonstrating how the applicant meets this criterion should include:</p> <ul style="list-style-type: none"> • the liaison and cooperation arrangements between the infrastructure manager and transport undertaking(s) for managing interface risks, including procedures for resolution of disputes; • reference to: <ul style="list-style-type: none"> ▪ relevant agreements or industry norms which govern these relationships; and ▪ documents which give details of the agreements reached through these relationships; and • an overview of how the applicant communicates its safety needs or requirements to the infrastructure manager or transport undertaking (as appropriate) (including those for meeting statutory provisions, technical standards and specifications, and other requirements arising from its safety management system).
	<p>For infrastructure managers only</p> <ul style="list-style-type: none"> • an overview of how the infrastructure manager takes account of the safety needs identified to it.
	<p>For transport undertakings only</p> <ul style="list-style-type: none"> • an overview of how the transport undertaking takes account of the safety needs identified to it.
<p>Potential inspection issues</p>	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • examination of agreements governing relationships with interfacing operators, and/or practical examples of the working relationships; • detail of interface risk issues, such as between wheel and rail or train and signal; • information about a recent change initiated by a transport undertaking, where effective liaison enabled the infrastructure manager to assist the transport undertaking to comply with legislative and other mandatory requirements; and • detail of measures taken to ensure safe operation during a recent period of



degraded operations (for example extreme weather conditions or major engineering works).

Criterion 14: Safe design of the infrastructure (NMC14)

<p>Legal duties (ROGS)</p>	<p>For infrastructure managers only</p> <p>Regulation 10(1)(b)(iii)</p> <p>An application for a first safety authorisation in respect of infrastructure shall set out particulars of how the provisions adopted by the applicant meet any requirements which are necessary for the safe design, maintenance and operation of the infrastructure in question.</p>
<p>Criterion</p>	<p>For infrastructure managers only</p> <p>The applicant shall provide an overview of how it meets requirements for safe design of the infrastructure, and how its safety management system (SMS) facilitates this.</p>
<p>Purpose</p>	<p>For infrastructure managers only</p> <p>This criterion just deals with the design aspect of regulation 10(1)(b)(iii). The design of infrastructure, including track and formation, signalling, traction power supply, earthworks, structures, level crossings, telecommunications and stations, is integral to the safety of the system. Safety should be factored into the design of materials, components and subsystems, and into the way these fit together to form the systems which make up the operational railway. The interface between humans and the hardware of the railway should also be designed with safety in mind. The safety verification provisions in ROGS provide a statutory framework governing how safety should be designed in. These are complemented by a range of recognised industry processes. Compliance with the Regulations and industry processes provide the underlying evidence that initial integrity is sound, and it is not the intention of this criterion to duplicate those requirements, but to show how they have been met.</p>

<p>Evidence</p>	<p>For infrastructure managers only</p> <p>Evidence demonstrating how the applicant meets this criterion should include:</p> <ul style="list-style-type: none"> • the aims of the organisation in its various design processes; • an overview of the arrangements for meeting statutory requirements, and for participating in industry processes (including taking account of the equipment or operations of other applicants). This overview should describe links between the arrangements and other relevant parts of the safety management system; • an overview of any national or international standards, or suites of standards relevant to the operation with which the organisation seeks to comply in designing its infrastructure; • reference to any other types of design requirements (for example company standards, technical specifications and procedures); • reference to relevant parts of the applicant's SMS; and • a brief explanation of how the organisation has satisfied itself that designs which predate current standards are fit for purpose.
<p>Potential inspection issues</p>	<p>For infrastructure managers only</p> <ul style="list-style-type: none"> • the design philosophy and architecture of various infrastructure subsystems, such as track, signalling, earthworks or level crossings; • the design of layout; • individual projects before, during or after the design stage, to assess compliance with the above description and/or with other legislative requirements; • the design of passenger flow in stations, or passenger-train interface; • the design of the human interface with particular systems or equipment; and • examination of a recent change, outlining the design safety issues and how the system described above addressed them.

Criterion 15: Safe maintenance of the infrastructure (NMC15)

Legal duties	<p>For infrastructure managers only</p> <p>Regulation 10(1)(b)(iii)</p> <p>An application for a first safety authorisation in respect of infrastructure shall set out particulars of how the provisions adopted by the applicant meet any requirements which are necessary for the safe design, maintenance and operation of the infrastructure in question.</p>
Criterion	<p>For infrastructure managers only</p> <p>The applicant shall provide an overview of how it meets requirements for safe maintenance of its infrastructure, and how its safety management system (SMS) facilitates this.</p>
Purpose	<p>For infrastructure managers only</p> <p>This criterion just deals with the maintenance aspect of regulation 10(1)(b)(iii). In the same way that infrastructure must be designed for safety, the infrastructure manager must show how it meets the requirements relating to its maintenance. These may include legislative requirements, national or international standards or company rules and technical specifications.</p> <p>A maintenance regime needs to consider all the elements of the infrastructure and how they contribute to the overall safety of the system. Individual components are likely to require periodic inspection, adjustment, repair or replacement, in accordance with standards adopted by the infrastructure manager. The integrity of a subsystem as a whole will also need to be managed.</p>
Evidence	<p>For infrastructure managers only</p> <p>Evidence demonstrating how the applicant meets this criterion should include:</p>

	<ul style="list-style-type: none"> • the aims of the maintenance regime; • an outline of how the organisation delivers those aims safely, referring where appropriate to elements of the SMS; • reference to recognised industry maintenance standards which have been adopted, and to relevant company standards and procedures; • an overview of the way in which the standards and procedures are maintained; and • a brief explanation of the organisation's tolerance of non-compliance to maintenance standards.
<p>Potential inspection issues</p>	<p>For both infrastructure managers and transport undertakings</p> <ul style="list-style-type: none"> • detailed arrangements for the maintenance of subsystems such as track, signalling or power supply; • the integrity of the maintenance organisation, and its ability to deliver maintenance aims; • detail of maintenance procedures and/or standards; • compliance with named or recognised industry procedures/standards; • arrangements to deal with specific maintenance challenges; and • examination of a recent maintenance challenge, and the way that the maintenance regime managed it effectively.

Criterion 16: Safe operation of the infrastructure (NMC16)

Legal duties	<p>For infrastructure managers only</p> <p>Regulation 10(1)(b)(iii)</p> <p>An application for a first safety authorisation in respect of infrastructure shall set out particulars of how the provisions adopted by the applicant meet any requirements which are necessary for the safe design, maintenance and operation of the infrastructure in question.</p>
Criterion	<p>For infrastructure managers only</p> <p>The applicant shall provide an overview of how it meets requirements for the safe operation of its infrastructure and how its SMS facilitates this.</p>
Purpose	<p>For infrastructure managers only</p> <p>This criterion just deals with the operations aspect of regulation 10(1)(b)(iii). Overall effective control of the infrastructure is critical to ensuring its safe operation in normal, degraded and emergency conditions. Infrastructure managers need to establish an effective control philosophy and agree arrangements with other relevant parties, including transport undertakings and adjacent infrastructure managers. The infrastructure manager must provide sufficient facilities to establish this control philosophy, including status monitoring, signalling, communications, normal operating rules, and an understanding of the expected response to foreseeable events.</p>
Evidence	<p>For infrastructure managers only</p> <p>Evidence demonstrating how the applicant meets this criterion should include:</p> <ul style="list-style-type: none"> • the aims of the operational arrangements; • an outline of how the organisation delivers those aims, while ensuring safety;

	<ul style="list-style-type: none"> • an outline of how key aspects of the SMS are integrated with operational arrangements; and • reference to recognised industry operational standards which have been adopted, and to relevant company standards and procedures.
Potential inspection issues	<p>For infrastructure managers only</p> <ul style="list-style-type: none"> • the management of signalling operations and the control of train operations; • response to reported defects or other emergencies; • the quality of communications and communications equipment; • compliance with operational standards adopted by the organisation; and • how the operational arrangements dealt with a recent significant operational change.

Criterion 17: Types of work and compliance with legislative requirements (NMC17)

<p>Legal duties</p>	<p>For transport undertakings only</p> <p>Regulation 7(1)(b)(ii)</p> <p>An application for a first safety certificate in respect of an operation shall include the information set out in Part 2 of Schedule 2 in respect of a non-mainline application.</p> <p>Schedule 2, Part 2, paragraphs 5(a) and 6 - information to be included for a non-mainline application</p> <p>Paragraph 6: Information on the different types of work or voluntary work being carried out by persons directly in relation to the operation including evidence of how the applicant ensures that when such persons are carrying out such work or voluntary work in relation to the operation that they are doing so in accordance with the with relevant requirements of the relevant statutory provisions referred to in paragraph 5(a).</p> <p>Paragraph 5(a): Relevant statutory provisions which make provision in relation to safety which are applicable to the operation.</p>
<p>Criterion</p>	<p>For transport undertakings only</p> <p>The applicant should</p> <ul style="list-style-type: none"> • list the types of work with a safety element required to operate its vehicles in relation to the infrastructure including anything carried out by contractors and, where applicable, volunteers; and • summarise the organisational arrangements which ensure such work is carried out in accordance with legislative requirements.
<p>Purpose</p>	<p>For transport undertakings only</p> <p>The purpose of this information is to ensure that the applicant has identified all tasks required to run its operation safely and has a system in place to ensure that these are carried out in accordance with appropriate standards and other safety</p>

	requirements.
Evidence	<p>For transport undertakings only</p> <p>Evidence demonstrating how the applicant meets this criterion should include:</p> <ul style="list-style-type: none"> • a list of categories of work with a safety element required for the applicant’s operation; and • summary of how its arrangements for managing competence are designed to ensure that such work is carried out in accordance with relevant legislative requirements, referring to evidence provided under criterion 8.
Potential inspection issues	<p>For transport undertakings only</p> <ul style="list-style-type: none"> • examination of the system in relation to a particular group of staff carrying out safety critical tasks; • comparison of applicant processes with industry standards; • review of performance monitoring processes, to test that legal requirements are complied with on the ground; • examination of competence records for certain staff; • procedures for managing substandard performance; • procedures for ensuring competence during periods of change (e.g. technical, procedural) and when staff change jobs; • procedures for ensuring competence during degraded or abnormal operations; and • competence of senior managers in safety decision making.

Criterion 18: Types of rolling stock and compliance with legislative requirements (NMC18)

<p>Legal duties</p>	<p>For transport undertakings only</p> <p>Regulation 7(1)(b)(ii)</p> <p>An application for a first safety certificate in respect of an operation shall include the information set out in Part 2 of Schedule 2 in respect of a non-mainline application.</p> <p>Schedule 2, Part 2, paragraphs 7 and 5(a) – information to be included in a non-mainline application</p> <p>Paragraph 7: Information on the different types of rolling stock used for the operation including evidence that they meet relevant requirements of the relevant statutory provisions referred to in paragraph 5(a).</p> <p>Paragraph 5(a): Relevant statutory provisions which make provision in relation to safety which are applicable to the operation.</p>
<p>Criterion</p>	<p>For transport undertakings only</p> <p>The applicant should list all types of rolling stock used in its operation and should describe how each type meets the requirements of the statutory provisions applicable to the safety of the transport operation.</p> <p>"Rolling stock" in this case means any carriage, wagon or other vehicle used on track and includes a locomotive.</p>
<p>Purpose</p>	<p>For transport undertakings only</p> <p>The purpose of this information is to provide another layer of detail to criterion 1 for the specific network operation and to act as a check that the rolling stock has been approved, authorised and/or certified for use as appropriate.</p>

<p>Evidence</p>	<p>For transport undertakings only</p> <p>Evidence demonstrating how the applicant meets this criterion should:</p> <ul style="list-style-type: none"> • list all types of rolling stock used in its operation (where the number of types or sub-types would make this cumbersome, reference to broad categories would be sufficient); • list any relevant statutory requirements that apply in respect of the design of each type; • list any relevant statutory requirements that apply in respect of the maintenance of each type; • refer to maintenance plans for each type/broad category; • denote the type of formal safety scheme which the rolling stock has been subject to, for first placing into service; and • briefly describe systems and procedures for safely bringing into service modified, upgraded or renewed rolling stock where not subject to any formal scheme. <p>Note: For the first five bullet points it is acceptable for the applicant to provide this information in table format. No copies of certificates, letters or other documentation confirming compliance with the relevant approval, authorisation or certification regime should be included.</p>
<p>Potential inspection issues</p>	<p>For transport undertakings only</p> <p>Specific inspection issues on technical matters relating to rolling stock will be determined by priorities emerging from the strategic ORR planning system.</p>

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