

**Oliver Stewart**  
**RAIB Recommendation Handling Manager**



28 March 2024

Mr Andy Lewis  
Deputy Chief Inspector of Rail Accidents

Dear Andy,

**RAIB Report: Near miss at Farnborough North footpath level crossing on 19 May 2022**

I write to report<sup>1</sup> on the consideration given and action taken in respect of the recommendations addressed to ORR in the above report, published on 24 April 2023.

The annex to this letter provides details of actions taken in response to the recommendations and the status decided by ORR. The status of recommendation 1 is '**Closed**'. The status of Recommendation 2 is '**Open**'.

ORR will advise RAIB when further information is available regarding actions being taken to address these recommendations.

We will publish this response on the ORR website.

Yours sincerely,

Oliver Stewart

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

## Initial consideration by ORR

1. Both recommendations were addressed to ORR when the report was published on 24 April 2023.
2. After considering the recommendations ORR passed both recommendations to Network Rail asking them to consider and where appropriate act upon them and advise ORR of its conclusions. The consideration given to each recommendation is included below.
3. This annex identifies the correspondence with end implementers on which ORR's decision has been based.

## Recommendation 1

*The intent of this recommendation is to improve the control of risk at footpath level crossings where there is known to be a history of safety incidents, and where timescales to implement long-term safety improvements are uncertain.*

Network Rail should review its processes associated with the risk assessment of footpath level crossings. Where mitigation measures have been implemented to control the risks associated with user behaviour (such as how groups of people behave), Network Rail should ensure that an effective method of identifying and managing any ongoing residual risk is provided and that this takes account of available operational experience and previous safety assessments. As part of this process, Network Rail should specifically consider what actions should be adopted to control risk during the period in which longer term mitigation measures are being implemented, and to review the situation if, and when timescales change.

## ORR decision

4. Network Rail has reviewed the level crossing risk management standards, NR/L2/XNG/001 and NR/L3/XNG/308, and the guidance note 'Managing Interim Risk at Level Crossings and concluded that they provide an appropriate framework for managing interim risk at level crossings.
5. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:
  - taken the recommendation into consideration; and
  - has taken action to close it

**Status: Closed.**

## Information in support of ORR decision

6. On 14 August 2023 Network Rail provided the following closure statement:



230812 Closure  
Statement\_Farnborou

7. On 20 & 22 September 2023 Network Rail provided copies of the three documents referred to in the closure statement:

- Level crossing risk management standards NR/L2/XNG/001 and NR/L3/XNG/308
- Guidance note 'Managing Interim Risk at Level Crossings.'



NR\_L3\_XNG\_308.pdf



NR\_L2\_XNG\_001.pdf



Managing Interim  
Risk at Level Crossing

## Recommendation 2

*The intent of this recommendation is that temporary and interim crossing attendant roles are subject to suitable training and competency management.*

Network Rail should review the role of temporary and interim crossing attendants nationally, including that currently in use at Farnborough North. This review should consider the nature of the tasks undertaken by crossing attendants and whether these are safety-critical in nature. Based on this review, Network Rail should develop and implement appropriate requirements for developing and managing the competency of this role, in line with industry good practice and any applicable legislative requirements

## ORR decision

7. Network Rail has reviewed the role of temporary and interim crossing attendants, taking into consideration if the tasks undertaken are safety-critical in nature. Network Rail are developing template level crossing instructions and identifying the competence requirements for the two different types of crossing keeper. The templates and assessment criteria will be provided to the regions and arrangements made for both criteria to be covered in the assurance regime.

8. Network Rail plan to provide information on the training requirement for each of the activities to regions by the end of March 2024, with evaluation of the impact of the training to be done by June 2024.

9. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

- taken the recommendation into consideration; and
- is taking action to close it

**Status: Open.**

## Information in support of ORR decision

10. On 15 June 2023 Network Rail provided the following initial response:

## Action Plan

### Please provide milestones with dates

Review with each Route/Regional Level Crossing Manager to identify where arrangements are in place a form of attendant at level crossings that are not covered by the Hand Book 18 or Crossing Keeper competence. This will allow a review of the tasks completed at each location and identify where arrangements are in place. R Wainwright (31 July 2023)

With the activity list, complete a review of these activities to identify if they are individually or in combination classed as safety critical activities. This will identify whether the arrangements are linked to ROGs or H&SW Act. The outcome will then allow the work to commence with the correct governance. P Ashton (15 September 2023)

Review each of the activities performed and complete a task based analysis to identify the medical, learning and competence requirements. This will allow the training requirements to be identified or built for each task. J Willett (31 October 2023)

Identify current training available or any training that needs to be developed for each of the tasks or activities. This will enable the training to be put in place and sign posted for each of the activities performed and allow the Regions to implement the arrangements. J Willett (31 January 2024)

Provide the materials to the Regions through a cascade process to make them aware of the training requirements for each of the activities. J Willett (31 March 2024)

Evaluate the implementation of the training a hold a review session with the Regions to confirm how the measures have been implemented and whether they have improved the capability of those performing these activities. J Willett (30 June 2024)

### Evidence required to support closure of recommendation

- List of activities performed.
- Assessment about being a safety critical role.
- Task analysis.
- Learning Needs Analysis.
- Evidence of cascade.
- Evidence of post implementation review..

11. On 29 February 2024 Network Rail provided the following update:

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Crossing Attendant  
Details.docx



Farnborough North  
CDG Slides Jan 2024.pptx