Oliver Stewart
RAIB Recommendation Handling Manager

30 May 2024

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Collision between two freight trains at Loversall Carr Junction, Doncaster on 5 July 2022

I write to report[1] on the consideration given and action taken in respect of the recommendations addressed to ORR in the above report, published on 3 August 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

[1] 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 3 August 2023.

2. After considering the recommendations ORR passed recommendation 1 to GB Railfreight and recommendation 2 to RSSB 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. ORR also brought recommendation 1 to the attention of FOCs, TOCs and machine operators as it was concluded that that there are equally important lessons for them. ORR did not ask these organisations to provide a reply.

4. 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 reduce the risk of fatigue affecting the performance of train drivers employed by GBRf.

GBRf should review its existing policies and processes relating to fatigue management. This review should consider how the risks of driver fatigue are assessed and controlled, as well as relevant law, guidance and good practice from other industries that may be applicable. This review should include consideration of:

a. the incorporation of policy and process into an integrated fatigue risk management model

b. how the risk of fatigue is managed for the roster and how factors such as fatigue created by rest day working is assessed and controlled

c. the use of biomathematical fatigue models

d. reviewing and updating risk assessments for the driving task, including the identification and mitigation of any other hazards caused by train drivers being fatigued which are not otherwise addressed

e. how assurance and monitoring processes will ensure that fatigue risk control remains effective.

GBRf should develop a timebound programme for the implementation of any appropriate measures identified. This recommendation may apply to other train, freight and rail vehicle operators.

ORR decision

5. In response to the incident and subsequent RAIB report, GBRf have introduced a Fatigue Risk Management System (FRMS) and revised its fatigue risk policy statement. GBRf will be auditing the FRMS in June/July 2024 and will be introducing a new rostering system in 2025.

6. We will continue to work with GBRf and other FOCs to improve management of fatigue across the freight sector through promotion of ORR guidance and fatigue factors.

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

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

Status: Closed.

Information in support of ORR decision

8. On 5 February 2024 GB Railfreight provided the following initial response:

High-level summary:

a. *GBRf now has an FRMS, and its Fatigue Policy Statement has been reviewed and revised too. The processes have been reviewed that live within the Safety Management System and have been through our Standards Review Group, with an update due once part of a project working with the RSSB Fatigue Specialist have been completed to further enhance the live management of fatigue risk. GBRf employed a Fatigue Manager (specialist role), in January 2024, with [name redacted] joining the Safety Team from Network Rail and with 30 years in aviation prior to this.*
b. *This will require a detailed summary, but we have pro-active processes in place including Triangulation assessments (created with assistance from RSSB), we have developed a new suite of lead and lag KPIs, enhanced our FI tool to include exact travel distances from home and a Fatigue Planner role was introduced and they are making changes and consulting with employees to improve rosters flagged. All of this is overseen by the Fatigue Risk Action Group (FRAG) chaired by our Production Director, Ian Langton. Actions tracked and with a Project Manager feeding into the group steering the current plan.*
c. *We are still using the free FI tool, our Fatigue Manager will be assessing other tools, the benefit and business case for potential change during 2024 or later. This also links to our ongoing Rostering System replacement project with TRACSIS, GBRf will benefit from the internal specialist advice during this project due to be delivered in summer 2025.*
d. *This task was completed in December 2024, document can be provided via our Document Controller upon request. It has been shared to RSSB and I believe also the Inspector had seen this. The ground staff risk assessment was also subsequently reviewed and re-issued.*

e. *GBRf undertook an internal fatigue control check for its live operation in December 2023, deficiencies identified were fed back to the relevant team members and assessors of the team in Control. The full FRMS will be subject to audit by the Fatigue Manager six months post release which will be late June, early July 2024. The Fatigue Manager has been tasked with creating a full assurance plan against all elements of the FRMS, and they were previously the FRMS Assurance Manager at EasyJet and have relevant experience and can bring best practice from aviation. As they joined on January 22nd, this will be created, and we can update on a timescale for delivery.*

GBRf's Project Manager is handing over to the newly appointed Fatigue Manager and we will review the timebound plan and issue a summary document of progress to date, this will include sharing to our new Inspector [Name Redacted].

Recommendation 2

The intent of this recommendation is that medical assessments identify safety critical staff at risk of sleep disorders.

RSSB, working in conjunction with relevant transport undertakings, should review current medical fitness standards for safety critical staff. Where appropriate, these should be updated to include a requirement to identify sleep disorder indicators

ORR decision

9. RSSB is reviewing medical fitness standards for safety critical staff, with the aim of making the requirements for safety-critical staff clearer. RSSB aim to publish the standard in 2025. Existing guidance on consideration of sleep disorders is in GO/GN355.

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

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

Status: Open.

Information in support of ORR decision

11. On 17 October 2023 RSSB provided the following initial response:

I am writing in relation to Recommendation 2 of RAIB's report on the Loversall Carr Junction collision of 5 July 2022.

I am pleased to report that RSSB accepts the recommendation. The organisation is currently reviewing the medical fitness standards for safety critical staff, and whilst there is guidance in place to consider sleep disorders within GO/GN355, the review will work to make the requirements clearer for safety critical workers and

dutyholders. The standard is currently being drafted and is due to be published in 2025, following consultation in 2024.

We will provide further updates on a monthly basis in line with our usual practice.

12. On 7 February 2024 RSSB provided the following update:

Drafting of GO/GN355 is continuing, and is scheduled to have been completed by May 2024.