

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



12 February 2025

Mr Andy Lewis  
Deputy Chief Inspector of Rail Accidents

Dear Andy,

**RAIB Report: Train struck and damaged by equipment case door in Watford tunnel on 26 October 2014**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 13 August 2015.

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

We do not propose to take any further action in respect of the recommendation, unless we become aware that any of the information provided has become inaccurate, in which case I will write to you again.

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

## Recommendation 2

*The intent of this recommendation is for Network Rail to make explicit its processes for handing back a work site to reduce the risk arising from the railway not being safe and clear for the passage of trains.*

Network Rail should implement a means to meet the rule book requirement for the designated person (Engineering Supervisor or *Safe Work Leader*) to confirm to the PICOP that the railway is safe and clear for the passage of trains when that designated person is not present on site.

### ORR decision

1. In response to recommendation 1 from the RAIB report *Collision between a passenger train and a hand trolley at Challow, Oxfordshire*, Network Rail's initial response (October 2024) was that they had reviewed and revised the line clear verification (LCV) process (NR/L3/OPS/084 – Line Clear Arrangements Following Engineering Works – Line Clear Verification Process (Issue 7)). The revised version of the document was published December 2024, with a compliance date of December 2025.

2. We challenged Network Rail to demonstrate how the revised LCV process was also applicable to Watford tunnel rec 2, where an unsecured door on lineside cabinet was opened by the aerodynamic force of a passing train. In response, Network Rail accepted that the LCV process did not apply to these circumstances. Instead, they drew attention to Issue 12 of standard NR/L2/OHS/019 clause 5.1.6, which makes clear that the Person in Charge (PIC) is responsible for checking and confirming that the line is clear and safe for the passage of trains. In 2016 Network Rail's stated intent was to give this responsibility to the safe work leader (see para 4 and initial response in annex B). We accepted the approach of making one person responsible for this at the time, but we questioned Network Rail's timescales. In the intervening time, Network Rail has put this approach into effect, although with a different person/role, as evinced by the revised 019 standard.

3. 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.**

### Previously reported to RAIB

4. On 3 August 2016 ORR reported the following:

Network Rail has started to take appropriate action to implement this recommendation and address the risk of the railway being clear and safe to be put back into service following a possession. However, by focussing on the role of Safe Work Leader, Network Rail are focussing on a long term solution and are yet to say how they will address the risk in the short

term before the wider introduction of SWL. Network Rail have not yet provided ORR with a time bound plan for the work they are planning.

ORR is not yet convinced that Network Rail is taking appropriate action (nor provided a time bound plan) to implement this recommendation and address the risk (particularly in the short to medium term) of the railway being safe and clear to be put back into service following a possession.

## Update

5. On 30 October 2024 Network Rail provided the following closure statement for recommendation 1 in the RAIB report on the collision between a train and a hand trolley at Challow, Oxfordshire. Network Rail advised that this also applied to Watford Tunnel recommendation 2:



[N232-14] Challow  
Recommendation 1

6. On 10 January 2025 Network Rail provided the following update:

*The team have double checked where the detail of the original closure is shown in our systems etc and have provided back the attached to evidence that the process is in use.*



NR\_L2\_OHS\_019\_F0  
1.docx

11:06 Fri 10 Jan VPN 100%

PIC ✕

### Completion of work sign off by PIC

Planned end time	Actual end time
<input type="text" value="14/08/2024 14:14"/>	<input style="border: 2px solid orange;" type="text" value="Actual end time"/>

**I confirm the SWP contents were appropriate. Select Yes or No for each question, and sign the declaration below.**

Protection / Warning arrangements were suitable for the work	<input type="button" value="Yes"/> <input type="button" value="No"/>
Task Risk & Site Risk controls were suitable	<input type="button" value="Yes"/> <input type="button" value="No"/>
Appropriate permits to work were included	<input type="button" value="N/A"/> <input type="button" value="Yes"/> <input type="button" value="No"/>
Welfare facilities were appropriate	<input type="button" value="Yes"/> <input type="button" value="No"/>
The work at site is completed and clear for the safe passage of trains	<input type="button" value="Yes"/> <input type="button" value="No"/>

**State any changes or additions that should be made to improve this SWP for future use.**

**If not applicable, select the option for "None".**

Person in charge ( Name )

Alasdair Morgan

**Please select a category for any proposed changes or additions**

Please select a category for any proposed changes or additions ▼

Briefing Forms Source Data Maps Emergency Other

**Completion of work sign off by PIC**

Planned end time

Actual end time

12-01-2025 08:00:00

I confirm the SWP contents were appropriate. Circle Yes or No for each question, and sign the declaration below.	Y	N	N/A
Protection / Warning arrangements were suitable for the work	<input type="checkbox"/>	<input type="checkbox"/>	
Task Risk & Site Risk controls were suitable	<input type="checkbox"/>	<input type="checkbox"/>	
Appropriate permits to were included	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welfare facilities were appropriate	<input type="checkbox"/>	<input type="checkbox"/>	
The work at site is completed and clear for the safe passage of trains	<input type="checkbox"/>	<input type="checkbox"/>	
State any changes or additions that should be made to improve this SWP for future use. If not applicable, state "None".			

## Previously reported to RAIB

### Recommendation 2

*The intent of this recommendation is for Network Rail to make explicit its processes for handing back a work site to reduce the risk arising from the railway not being safe and clear for the passage of trains.*

Network Rail should implement a means to meet the rule book requirement for the designated person (Engineering Supervisor or Safe Work Leader) to confirm to the PICOP that the railway is safe and clear for the passage of trains when that designated person is not present on site.

### ORR decision

1. Network Rail has started to take appropriate action to implement this recommendation and address the risk of the railway being clear and safe to be put back into service following a possession. However, by focussing on the role of Safe Work Leader, Network Rail are focussing on a long term solution and are yet to say how they will address the risk in the short term before the wider introduction of SWL. Network Rail have not yet provided ORR with a time bound plan for the work they are planning.
2. ORR is not yet convinced that Network Rail is taking appropriate action (nor provided a time bound plan) to implement this recommendation and address the risk (particularly in the short to medium term) of the railway being safe and clear to be put back into service following a possession.
3. 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 implement it, but ORR has yet to be provided with a timebound plan.

**Status: Progressing. ORR will advise RAIB when further information is available regarding actions being taken to address this recommendation.**

### Information in support of ORR decision

4. On 9 March 2016, Network Rail provided the following initial response:

*Network Rail has reviewed the recommendation and the requirements of the rule book. We recognise the gap that is being highlighted by the rec as the COSS is not responsible for the task. Currently for the Engineering Supervisor to make the declaration that the railway is safe and clear for the passage of trains, requires the COSS and the Task leader to confirm that they have performed their jobs correctly ie for the COSS to declare the protection is no longer required AND for the task leader to confirm they have delivered and completed their task*

correctly. The combination of confirmations would confirm to the ES that the railway is safe and clear for the passage of trains.

*The solution to achieve the intent of the recommendation is the delivery of one controlling mind on site who can detail that the task has been completed correctly and the work has left the infrastructure safe for the passage of trains. This would be achieved by the role of Safe Work Leader.*

*The introduction of the role of Safe Work Leader is included in the programme Planning and Delivering Safe Work (PDSW) which is currently under review. The current situation with the PDSW Programme is:*

*Network Operations, Investment Projects and the PDSW programme agreed that on 18 December 2015 Network Rail would officially withdraw the mandated use of Proscient and associated Permits. This subsequently happened and Network Operations agreed a schedule by which it would move fully to the 'pause' by 15 January 2016. Operations entered the 'pause' on 18 December 2015 and Maintenance fully entered the 'pause' at 06:00 on 15 January 2016. Investment Projects have continued to use Proscient and Permits throughout and provision has been made for this within the 'pause' working arrangements. During this period a temporary variation to the PDSW standard (NR/L2/OHS/133/PDSW) has been applied for and agreed.*

*Secondly, a new PDSW Programme Director was appointed at the end of January 2016, joining the programme from Anglia Route and has a remit, from Network Rail's Executive Committee (Excom) to do a top to tail review of the programme and undertake optioneering on its future direction. The new Programme Director has been working with and listening to the feedback and views of staff, trade unions and stakeholders from across the business and supply chain to understand the strengths and weaknesses arising from the programme.*

*Excom remain committed to the vision of a single controlling mind for our work track side and as such, at the end of March Excom are due to review the options for progressing with Planning and Delivering Safe Work.*

*With regard to this recommendation Network Rail proposes to wait until a direction is known for Planning and Delivering Safe Work. If as is expected a programme that implements a single controlling mind is the decision then we will accept the recommendation and align it with the programme.*

*If for any reason Excom rejects their vision of implementing a single controlling mind then we will review the recommendation to determine what steps are required to implement the actions.*

5. ORR has written to Network Rail as the response addresses the recommendation in terms of the introduction of SWL role as part of PDSW. This may be an appropriate long

term solution, but Network Rail have not made clear if there are any interim arrangements in place before the introduction of SWL (which the response states is under review) to address the risk of a line being fit to return to traffic.