

Recommendation(s) Status: Derailment near Waterside, East Ayrshire

This report is based on information provided to the RAIB by the relevant safety authority or public body.

The status of implementation of the recommendations, as reported to us, has been divided into six categories:

Key to Recommendation Status

Implemented:	All actions to deliver the recommendation have been completed.
Implemented by alternative means:	The intent of the recommendation has been satisfied in a way that was not identified by the RAIB during the investigation.
Implementation ongoing:	Work to deliver the intent of the recommendation has been agreed and is in the process of being delivered.
In-progress:	The relevant safety authority has yet to be satisfied that an appropriate plan, with timescales, is in place to implement the recommendation; and work is in progress to provide this.
Non-implementation:	Regulation 12(2)(b)(iii) = recommendation considered and no implementation action to be taken.
Awaiting response:	Awaiting initial report from the relevant safety authority or public body on the status of the recommendation.

RAIB concerns on actions taken by organisations in response to recommendations are reflected in this report and are indicated by one of the following.

-  The red triangle shows recommendations where the RAIB has concerns that no actions have been taken in response to a recommendation.
-  The blue triangle shows recommendations where the RAIB has concerns that the actions taken, or proposed, are inappropriate or insufficient to address the risk identified during the investigation.
-  The white triangle shows recommendations where the RAIB notes substantive actions have been reported, but the RAIB still has concerns.

Note: The tables which follow, report the status of recommendations on 31 December 2015. In some other cases the end implementer has already sent information to the relevant safety authority about the actions it has taken, or proposes to take and the safety authority is considering whether it is satisfied that those actions and the associated timescales are accepted.

Number/ Date/ Report No/ Inv Title / Current Status	Safety Recommendation	Summary of current status (based on latest report from the relevant safety authority or public body)
1 Derailment near Waterside, East Ayrshire Status: Implemented	Scottish Coal should establish and specify the standards to which they require their infrastructure to be inspected and maintained. This should be in accordance with the Railway Group Standard 'Track Systems Requirements' GC/RT5021 and a risk assessment undertaken to justify the frequency and level of inspections if they are reduced below the minimum specified in this standard paragraphs 56 and 98d).	Scottish Coal has accepted the recommendation, and is carrying it out. ORR (HMRI) and the RAIB are satisfied with the position.
2 Derailment near Waterside, East Ayrshire Status: Implemented	Scottish Coal should ensure that arrangements are in place to allow the inspection and maintenance of their railway assets to be effected to the standards specified in Recommendation 1 (paragraphs 56 and 98b).	Scottish Coal has accepted the recommendation, and is carrying it out. ORR (HMRI) and the RAIB are satisfied with the position.
3 Derailment near Waterside, East Ayrshire Status: Implemented	Scottish Coal should put in place arrangements such that they, independent of their track maintenance contractors, can oversee management of their railway assets (paragraphs 46 and 99e).	Scottish Coal has accepted the recommendation, and is carrying it out. ORR (HMRI) and the RAIB are satisfied with the position.
4 Derailment near Waterside, East Ayrshire Status: In-progress	EWS should review its internal quality assurance processes to ensure that the sign-off of safety critical reports is accompanied by a review of the content. The submission of photocopied data should be prohibited unless the summary sheet confirms that conditions have been checked and previous readings are fully replicated (paragraphs 53 and 99c).	EWS has reported that it has taken actions in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate. ORR has closed the recommendation
5 Derailment near Waterside, East Ayrshire Status: Implemented	EWS should enhance the level of information arising from inspection reports to provide quantitative information and guidance for maintenance planning, for example: prioritisation of defects and timescales for non-urgent action (paragraphs 52 and 98c).	EWS has reported that it has taken actions in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate. ORR has closed the recommendation
6 Derailment near Waterside, East Ayrshire Status: Implemented	EWS should review its private-party activities nationally and take immediate steps to correct any situations where local inspection or maintenance arrangements have allowed infrastructure condition to fall below the applicable standards (paragraphs 99f and 107).	EWS has reported that it has taken actions in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.

**Number/ Date/ Report No/
Inv Title / Current Status**

7 21/01/2006 05/2007

Derailment near Waterside, East Ayrshire

Status: Non-implementation

Safety Recommendation

Network Rail should review the agreement which exists between it and Scottish Coal. This agreement should require Scottish Coal, as the adjacent facility owner, to ensure that any part of the adjacent facility which is directly connected to the NR Network is compatible with the NR Network and complies with applicable Railway Group Standards. Alternatively, the existing agreement should be replaced with a contract based on the Model Connection Contract published by the Office of Rail Regulation Document #209695.03 which contains this requirement. (paragraphs 57 and 101).

**Summary of current status (based on latest report from
the relevant safety authority or public body)**

NR have carried out a review of the agreement and the standards now being used by Scottish Coal. They consider that SC now have sufficient information to ensure no risk is imported from SC's track onto NR's system. RAIB awaits HMRI's views on this recommendation, but considers the current position to be satisfactory.