



# Caring for people involved in investigations

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# Topics

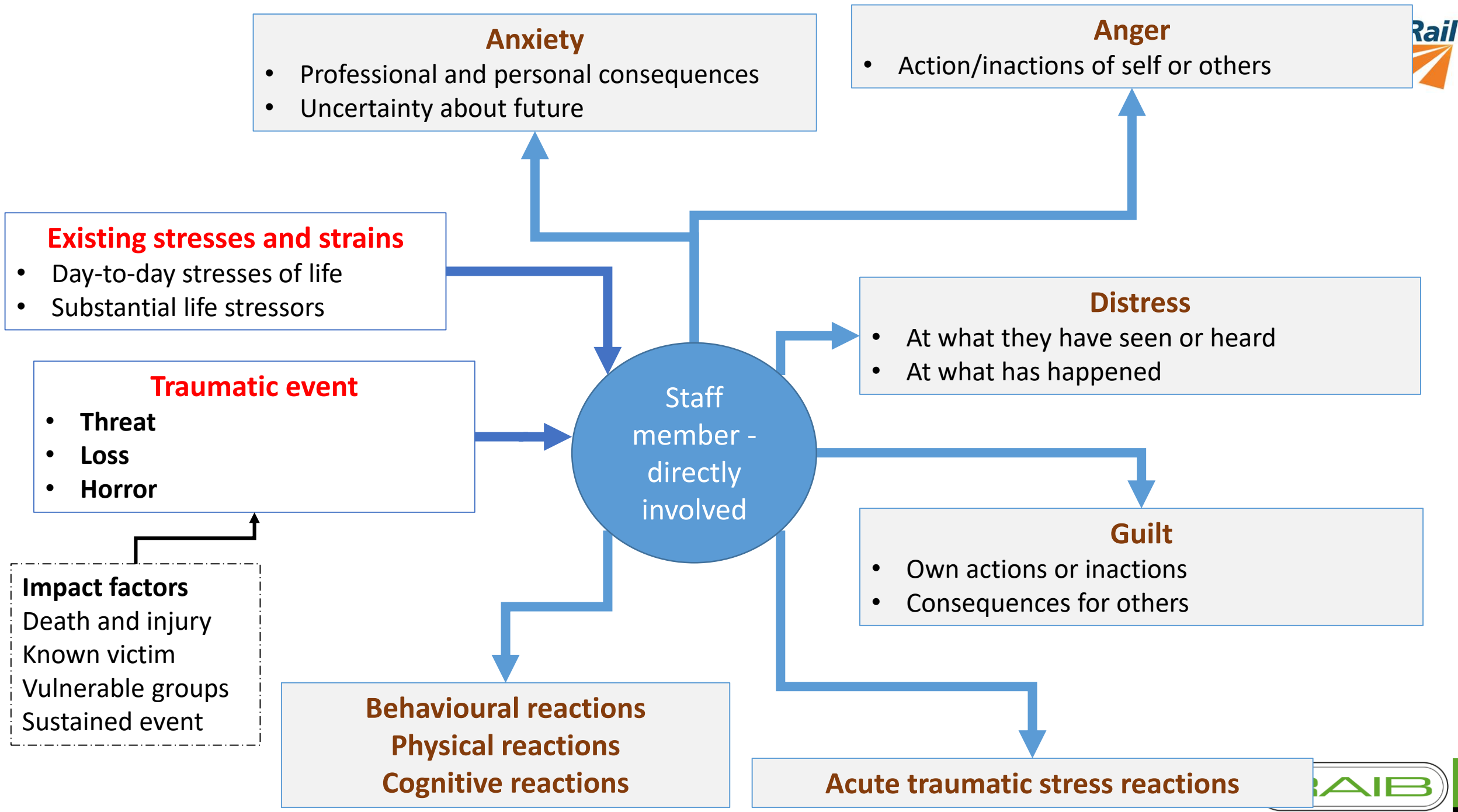
- Today's talk looks at how we care for people involved in accident investigations – mainly (but not only) railway staff.
  - What happens to people involved accidents and/or accident investigations?
  - How might this affect those involved?
  - Why does this matter to us?
  - What are some of the things we can do to help?

# What might happen to staff directly involved in an accident?

- A passenger has been killed or seriously injured following a trap and drag accident at a station.
- What would the member of staff responsible for this dispatch experience?
- **During the accident?**
  - May witness the accident unfold and/or have to take action.
  - May be exposed to the emotions and reactions of others (passenger's friends, other passengers, other staff).

# What might happen to staff directly involved in an accident?

- **Just after the accident (first hours)?**
  - May have witnessed or participated in rescue/recovery of passenger.
  - May continue to be exposed to the reactions and emotions of others.
  - Will make an internal report, talk to managers, may be tested for drugs and alcohol.
  - May give a first account to police officers, be interviewed by RAIB and/or ORR, may even have property seized.

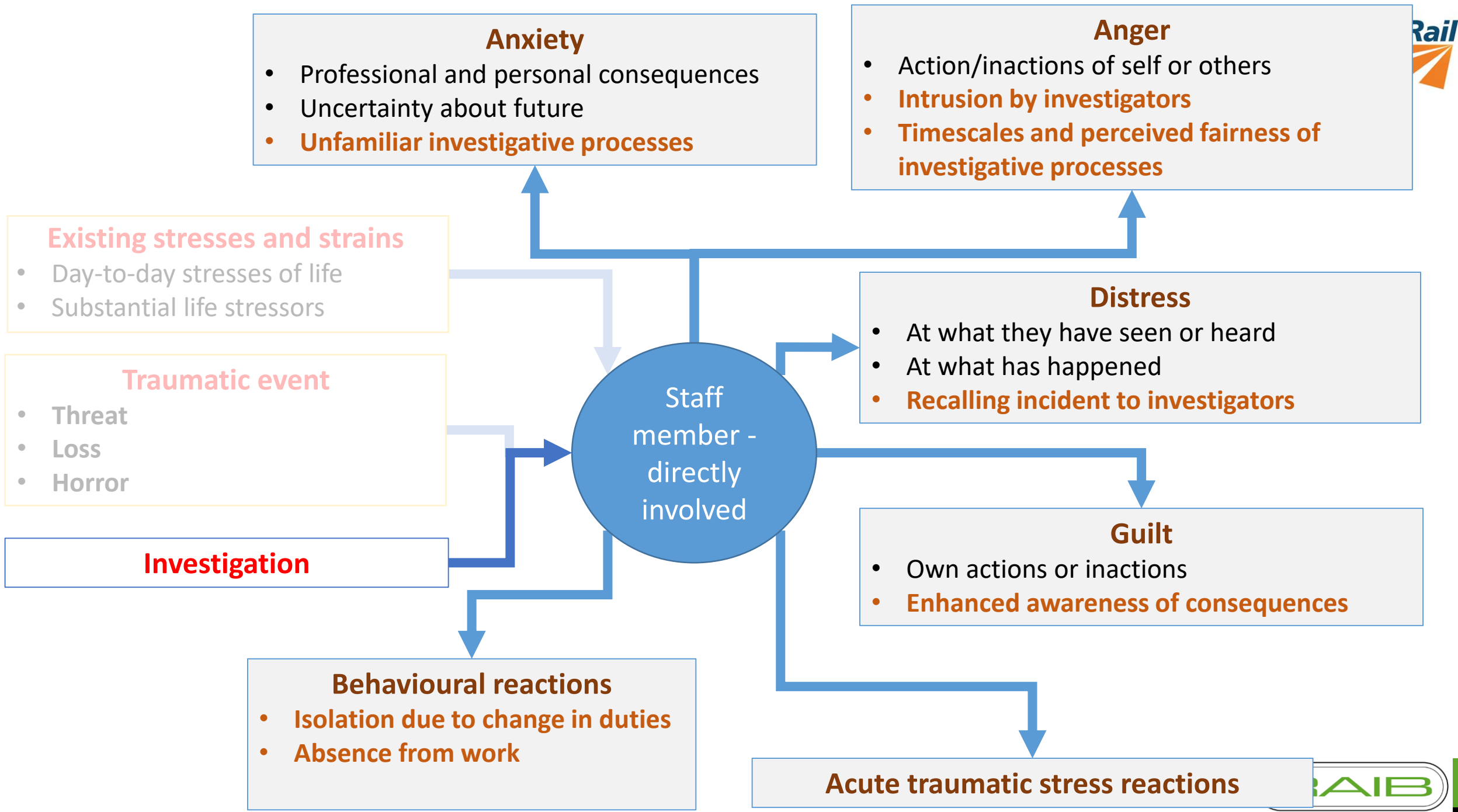


# Responses to traumatic events

- It is quite common for people to feel a range of emotions after a traumatic event, although some people may not experience a reaction – neither is the ‘correct’ response.
- Depends on training, previous experiences, personal characteristics, well-being and social circumstances.
- Most people will recover within a month of experiencing a traumatic event.
- A small number of people may go on to develop conditions that require specialist assessment and help.
  - An acute stress reaction is a strong indicator that specialist help will be required.
- After the accident, the investigation(s) start...

# What might happen to staff during the investigations which follow an accident?

- May see a competency suspended or have a change in duties, have work hours/locations changed – this may last for months.
- May be interviewed/re-interviewed by company investigators, a multidisciplinary panel, police or ORR (possibly under caution) or by RAIB – this can again happen over a prolonged period.
- May see media/social media reports on their actions, be subject to gossip or conflict at work or in community.
- May find themselves giving evidence at a Coroner's inquest or a criminal court.





## Why does this matter to us?

- If investigative actions exacerbate a person's reactions to an event, it could increase the risk that their health and welfare will be adversely affected.
- We have a legal and moral duty to ensure that we take proportionate actions to reduce the risk of this happening, particularly when dealing with safety critical staff.
- A failure to do this may also lead to a loss of evidence gathering opportunities and reputational damage to our organisation.

## What can employers do?

- **Understand who is at risk from post-incident stress** - the frontline, but how about others?
- **Make arrangements before the accident.**
  - Pre-arranging sources of support for incidents and providing general 'well-being' support.
  - Making sure managers and supervisors are aware of what to do after incidents.
  - Arranging for realistic training in dealing with emergencies and their aftermath.
  - Raising awareness of investigating agencies and their roles.

# What can employers do?

- **Brief staff on what they might experience.**
  - Stress reactions.
  - Coping mechanisms.
- **Brief staff on what to expect from investigations.**
  - What organisations could be involved?
  - What kind of investigations/objectives?
  - What does this mean for staff in practical terms?
  - What are the benefits of investigations?
  - How are proportionality, fairness and impartiality assured in internal investigations?

# What can investigators do?

- **Coordinate with other organisations to reduce the demands on the person involved.**
- It can be very stressful for someone if a variety of people are contacting them, particularly where there is duplication of activity or sustained timescales.
- Coordinating activity gives people space and makes the most effective use of resources.
- Consider using a single suitable point of contact for welfare, to pass on information and arrange interviews etc.
- There may be limits to the amount of duplication that can be removed **but don't be afraid to try.**

## What can employers do?

- **Ensure people involved in investigations are well supported over the short and long term.**
- Who is responsible for this person's welfare and what is the strategy for keeping in touch?
  - Do people know where to go to for support?
  - How do they find out what is happening?
- Are alternative deployment arrangements (still) justified?
  - Value of social support and normal routine.
- Can managers and other staff recognise those in distress or at increased risk?

# What can investigators do?

- **Keep the person involved appropriately informed across all stages of the investigation.**
- Remove uncertainty - explain what is happening and what is going to/may happen and when?
- Provide reassurance - be open about the process.
  - If you cannot provide certain information, tell them this (and avoid prejudging findings/outcomes).
- Use appropriate communication methods – check understanding, be cautious about how you pass on information which may be upsetting or disturbing.
- Document all contact – even if unsuccessful.

# What can investigators do?

- **Collect information and evidence sensitively.**
- The completeness and accuracy of witness statements is often key to successful investigations.
- Many people however find the prospect of being interviewed extremely stressful.
- This may be concern about the process, worry about embarrassing themselves or the fear of the consequences for themselves and others.
- The quality of evidence that a witness can provide will be adversely affected if they are in a stressed state.

# Interviewing - Planning and preparation

- What is the objective of the interview - is it still necessary?
  - Can you access other evidence or previously made reports/statements?
- Make contact pre-interview contact directly or indirectly – explain the process in advance.
- Choose the appropriate interviewers and interview format for this witness/witnesses - think about the state of mind of the witness.
  - Consider a group interview (mutual support).
  - Skills, background and personality traits of the interview team - not too many - dress code?



# Interviewing - Planning and preparation

- Availability – personal commitments, travel time.
- Location - suitable transport links?
  - Do they wish to avoid certain premises?
  - How do they get home afterwards?
  - Potential distractions - station PA, colleagues.
- Will they need support in interview?
  - Who would be an appropriate person?
  - Avoid line managers or anyone else involved in the investigation in any capacity.
- **What work are they expected to undertake immediately afterwards?**

## Interviewing - Engage and explain

- Take time to establish a rapport - help the witness to feel at ease, confident and secure.
  - Check welfare – drinking, smoking, location of toilet etc.
- Ensure the witness understands their role in the investigation and the purpose of your interview.
- Role of supporters will vary – make sure you understand it for this interview.
- Explain the interview process again – how it will work and how long it will take.

# Interviewing - Account, clarification and challenge

- Remember the objectives of the interview – what are you trying to find out.
- Be cautious with props and exhibits that might be distressing e.g. photos and CCTV.
- Ask only one question at a time and allow the witness to complete their answer.
  - Don't interrupt by filling pauses with additional questions or irrelevant comments.
- Observe the reactions of witnesses.
  - Remember they will be watching you too.

## Interviewing - Account, clarification and challenge

- Adjust your questioning style as needed - think about phrasing/re-phrasing difficult questions.
- Ensure that silence is used appropriately and does not become oppressive.
- If a witness becomes distressed and upset - don't try and push through, offer to take a break.
- Once you have achieved your objectives, 'ramp out' to gradually reach interview closure.

## Interviewing – Closure and evaluation

- Explain next steps - timescales, who will contact them, how to contact you.
- Make them aware that you or others may need to speak to them further as the investigation progresses.
- Going back to work or going home?
- Who supports and how?
- If necessary contact someone appropriate (e.g. line manager) about their welfare - be open that you are going to do this.
- **Keep your commitments.**

## Case study

- RAIB Report 21/2013 'Fatal accident involving a track worker at Saxilby'
  - 'Some witnesses stated that the trauma they experienced as a result of their proximity to the accident was compounded by the nature of the interview processes used within rail industry investigations, which feature a panel of interviewers and often a significant number of questions.'
- **Recommendation 4 - Network Rail, in consultation with other industry partners, should review its processes and examine ways of improving their practices for interviewing witnesses involved in serious incidents and accidents.**

## Case study

- Following this recommendation Network Rail reviewed its processes.
- This led to a definition of a 'serious accident'.
  - Fatality to any person in a train accident (other than suspected suicide or trespass).
  - Collision between trains on a running line where there is injury to at least one person or significant damage to the infrastructure or the train;
  - Derailment of a passenger train, except low speed.
  - A fatal or life changing injury to a member of the workforce employed by/contracted to Network Rail.

## Case study

- Where there are witnesses involved in or who have directly witnessed a 'serious accident' the Network Rail Corporate Investigation Manager will act as Designated Competent Person.
- In this role, the Corporate Investigation Manager will agree the interview strategy with the lead investigator.
- This strategy will take into account the needs of the witnesses and determine the type of interview and the composition of the interviewing team.



## Case study

- This approach was used during the investigation into a track worker fatality.
- The strategy was for the two staff who witnessed the accident to be interviewed together, separately from the main panel.
- The interviewing team comprised the Network Rail lead investigator, Network Rail's principal occupational psychologist, a lead trade union health and safety rep.
- The members of the investigation team not participating were asked for subject areas that they wanted to be covered during the interview.

## Case study

- Feedback from witnesses was that this was seen as a sensitive way to gather evidence.
- The investigative team also found it productive in terms of evidence gathering.
- Other investigations have since used the same approach.
- Also been found useful to use existing evidence and/or summary information provided by the RAIB and ORR to reduce the number of interviews and/or to tailor their objectives.

## Recent operational experience

- Having a single point of contact to coordinate between investigations has worked well, at least initially.
- Welfare and communications with those involved also seems to have been more effective in early stages.
- Some witnesses still subject to multiple interviews.
  - Difficult to avoid after very serious accidents?
- Once initial phase is over, management focus can shift quickly, leaving people feeling isolated and unsupported.

## Recent operational experience

- Over time, welfare arrangements lack clarity and become generic and reactive.
  - No acknowledgement of individual factors or that the needs of people within a group may actually conflict.
- Still seeing long suspensions and redeployments without significant contact or support from employers.
- Follow up investigative activity (e.g. second interviews) remains a significant source of stress.
- Long investigative timescales also remain a significant welfare factor, although feedback on the investigation's progress seems to mitigate this.

## Summary

- As investigators we have a duty to conduct investigations which are thorough and objective.
- This may cause anxiety and upset to those involved.
- We need to take reasonable steps to reduce the impact of our investigations upon their well-being.
- These steps should include:
  - Ensuring the people involved are well supported.
  - Coordinating with other organisations.
  - Keeping those involved appropriately informed.
  - Collecting information and evidence sensitively.