

Recommendation Status Report: Track workers struck by a train at Margam, Neath Port Talbot

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

The status of the recommendation(s), as reported to us, are described by the following categories:

Key to Recommendation Status

Open (replaces Progressing and Implementation On-going)	Actions to address the recommendation are ongoing.
Closed (replaces Implemented, Implemented by alternative means, and Non-implementation)	ORR consider the recommendation to have been taken into consideration by an end implementer and evidence provided to show action taken or justification for no action taken.
Insufficient response:	The end implementer has not provided sufficient evidence that the recommendation has been taken into consideration, or if it has, the action proposed does not address the recommendation, or there is insufficient evidence to support no action being taken.
Superseded:	The recommendation has been superseded either by a newer recommendation or actions have subsequently been taken by the end implementer that have superseded the recommendation.
Awaiting response:	Awaiting initial report from the relevant safety authority or public body on the status of the recommendation.

RAIB concern over the way that an organisation has responded to a recommendation are indicated by one of the following:

Red – RAIB has concerns that no actions have been taken in response to a recommendation.

Blue – RAIB has concerns that the actions taken, or proposed, are inappropriate or insufficient to address the risk identified during the investigation.

White – RAIB notes substantive actions have been reported, but the RAIB still has concerns.

Recommendation Status Report



Report Title	Track workers struck by a train at Margam, Neath Port Talbot,
Report Number	11/2020
Date of Incident	03/07/2019

Rec No.	Status	RAIB Concern	Recommendation	RAIB Summary of current status
11/2020/01	Closed - I	None	<p>The intent of this recommendation is that staff should only carry out maintenance activities that are strictly necessary.</p> <p>Network Rail should undertake a thorough review of the types of routine maintenance activities undertaken on or near the track by its depots to check that all such activities are necessary for the reliable and safe operation of the railway and identify any that are not. The findings of this review should then be used to inform the development of clear instructions to maintenance staff to prevent any unnecessary activities, and to develop a process for updating staff on new maintenance practices as new assets are introduced in the future (paragraph 357a.i).</p>	<p>ORR has reported that Network Rail has reported that it has completed actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
11/2020/02	Closed - I	None	<p>The intent of this recommendation is to improve the level of monitoring and supervision of planners and track workers so that safe planning and site behaviours are cultivated and maintained.</p> <p>Network Rail should carry out a detailed investigation at delivery units and depots of how management is monitoring and supervising section planners and staff working on or near the track, to check that safe work plans are being generated, and implemented safely on the ground. It should then use the findings to develop and implement improved procedures on monitoring and supervision, and assess and address any related staff resource requirements (paragraph 357a.ii-v, 357b.ii, 357b. iii, 357c.ii).</p>	<p>ORR has reported that Network Rail has reported that it has completed actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
11/2020/03	Closed - I	None	<p>The intent of this recommendation is to prevent future confusion and misuse of the 'parallel working' facility in the SSOWP system.</p>	<p>ORR has reported that NR has reported that it has completed</p>

Recommendation Status Report



			<p>Network Rail should define the term 'parallel working' in the SSOWP system and undertake a thorough review of how it is being used in the planning and implementation of SWPs on its network and decide whether to retain the facility in the SSOWP system. If the function is to be retained, Network Rail should train relevant staff on how to use the facility correctly and consider measures to prevent its misuse (paragraph 357a.iii).</p>	<p>actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
11/2020/04	Open	None	<p>The intent of this recommendation is that Network Rail has a renewed and sustained focus on improving the non-technical skills of all its track maintenance teams, including their supervisors and managers, in those areas most closely associated with site safety. When addressing this recommendation, Network Rail should take into account actions taken in response to Recommendation 1 of RAIB's Egmonton investigation (RAIB report 11/2018) and Recommendation 2 of RAIB's track worker class investigation (RAIB report 07/2017).</p> <p>Network Rail should review its processes and programme for developing the social, cognitive and personal 'non-technical skills' of those working on or near the track, with a particular focus on those areas that are linked to effective communication, cooperation, leadership and positive team dynamics. By means of this review Network Rail should ensure that it has in place all that is necessary for the timely provision of an ongoing and sustained programme of suitable, relevant and targeted training and mentoring that will influence the mindset and attitudes of everybody involved with planning and delivery of work activities, including managers, supervisors, site leaders and team members. Network Rail should also issue practical guidance on:</p> <ul style="list-style-type: none"> a) ways of assessing non-technical skills and development potential when selecting future site leaders b) methods for evaluating and developing the non-technical skills of those already undertaking leadership roles c) how to intervene when concerned about the performance of a safety 	<p>ORR has reported that Network Rail has a proposed action plan and timescale for delivery to be taken in response to the recommendation. ORR will advise RAIB when actions to address this recommendation have been completed.</p>

Recommendation Status Report



			leader. (paragraphs 357b.i, 357b.ii, 357d, 358b).	
11/2020/05	Closed - I	None	<p>The intent of this recommendation is that Network Rail's future work on improving track worker safety is overseen and guided by an independent expert group at a sufficiently senior level, that provides continuity of vision over many years, peer review and an effective challenge function. When addressing this recommendation Network Rail might choose to expand the terms of reference for its newly formed 'Safety Task Force Programme Board' to enable it to perform all of the functions envisaged by RAIB.</p> <p>Network Rail, in consultation with its main contractors and Trade Union representatives, should establish a permanent expert group, which comprises representatives from across the rail industry with sufficient seniority and recent front-line experience, together with external experts with relevant qualifications or background (including a behavioural scientist), to provide oversight of all track worker safety improvement programmes. Its scope, which should be formally documented, should include:</p> <ul style="list-style-type: none"> a) providing independent advice, guidance and challenge to the Network Rail board and the SHE committee on matters related to the delivery of safety improvements (including those identified by the ORR improvement notices) b) checking that parallel and interdependent work streams are being properly co-ordinated c) monitoring the development and implementation of new or revised procedures and management processes d) ensuring that the need to address the impact on front-line track workers is not overlooked when implementing new technologies and work management processes e) checking that recommendations and lessons from accident investigations are being learned and fed into improvement processes f) providing a source of ongoing corporate memory and continuity 	<p>ORR has reported that Network Rail has reported that it has completed actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>

Recommendation Status Report



			of vision (particularly during times of organisational and personnel change). (paragraph 358a).	
11/2020/06	Closed - I	None	<p>The intent of this recommendation is that Network Rail has a proactive safety leadership and a culture which promotes an open and objective approach to the reporting and improvement of safety performance.</p> <p>Network Rail should investigate different ways of promoting proactive safety leadership at every level of the organisation, to develop a culture that values and actively promotes the open and honest reporting of safety performance, the early identification of any weaknesses in management processes and open debate. The output of the investigation should be an active cultural change programme which is the subject of consultation with employees and stakeholders, and then widely disseminated (paragraph 358c).</p>	<p>ORR has reported that Network Rail has reported that it has completed actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
11/2020/07	Closed - I	None	<p>The intent of this recommendation is to improve the effectiveness of Network Rail's management assurance processes related to the safety of staff working on or near the track, so that it provides a more realistic assessment of the extent to which track worker safety arrangements are embedded, and being correctly applied, in practice.</p> <p>Network Rail, in consultation with its main contractors and staff representatives, should commission a project to improve the way its management assurance system operates in areas directly affecting the safety of track workers. The review should include each of the following:</p> <ul style="list-style-type: none"> a) the identification of improved systems for collecting reliable data on how mandated processes are being applied in maintenance depots, and within track worker teams (to supplement or replace the existing Level 1 management self-assurance) b) improved mechanisms for collating, analysing, tracking, and presenting the findings of audits, investigations and other management assurance activities. 	<p>ORR has reported that Network rail has reported that it has completed actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>

Recommendation Status Report

			<p>The project should also consider ways of expanding the scope of management assurance activities to provide better intelligence on the underlying reasons for the non-compliances that are identified during audits, including consideration of the views of auditors and other relevant staff. The improved management assurance arrangements that are identified should be endorsed by the Network Rail board before implementation in accordance with a structured and validated programme for change (paragraphs 357a.iv, 357b.iii, 358c). This recommendation may apply to other Network Rail management assurance processes.</p>	
11/2020/08	Closed - I	None	<p>The intent of this recommendation is to improve the quality of information being provided to senior management, relating to the safety performance of staff working on or near the track, to enable better monitoring and decision making.</p> <p>Network Rail should extend the review undertaken in response to recommendation 7 to include the following:</p> <ul style="list-style-type: none"> a) a more structured process for senior management review of safety assurance data b) mechanisms to ensure that the senior management team is provided with suitably independent and specialist advice when reviewing the outputs of the safety management assurance system, particularly when considering significant change c) identification of additional leading indicators of safety performance designed to better inform senior managers on the underlying health of the safety management systems. <p>This recommendation may apply to other Network Rail management assurance processes.</p>	<p>ORR has reported that NR has reported that it has completed actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
11/2020/09	Closed - I	None	<p>The intent of this recommendation is to improve the robustness of Network Rail's processes for assessing the impact of changes to working practices which affect safety of track staff.</p>	<p>ORR has reported that Network Rail has reported that it has completed actions taken in response to this</p>

Recommendation Status Report



			<p>Network Rail should review and strengthen its process for the safety assessment of significant changes to working practices that have the potential to affect the safety of railway staff. This review should identify the extent to which the existing process promotes an adequate consideration of:</p> <ul style="list-style-type: none"> a) the conditions that apply before the proposed change (such as the ways of working and how these compare to mandated processes); b) the impact on resource and staff workload c) any organisational changes, working practices or work force behaviours that are needed for the changes to be fully effective d) safety risk and identification of control measures to mitigate or eliminate that risk. <p>(paragraph 358a)</p> <p>This recommendation may be best addressed in conjunction with Network Rail's response to recommendation 6 of RAIB's report into the near miss with track workers and trolleys at South Hampstead (RAIB report 20/2018).</p>	<p>recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
11/2020/10	Closed - I	None	<p>The intent of this recommendation is to explore ways of reducing the risk to staff who work on or near the track by creating more opportunity for safe access to the track when trains are not running.</p> <p>Network Rail, in consultation with the Department for Transport, relevant transport authorities, ORR and other railway stakeholders, should investigate ways of optimising the balance between the need to operate train services and the need to enable safe access to the track for routine maintenance tasks. Options for consideration should include:</p> <ul style="list-style-type: none"> a) the provision of gaps in the train service, during daylight off-peak hours, to enable timely and safe access for maintenance staff b) greater use of alternative routes or bidirectional lines to achieve the above c) increased availability and utilisation of weekend and night time possessions for cyclical maintenance tasks. 	<p>ORR has reported that NR has reported that it has completed actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>

Recommendation Status Report

			Any reasonably practicable measures that are identified should then be implemented in accordance with a timebound plan (paragraph 359b).	
11/2020/11	Closed - I	None	<p>The intent of this recommendation is to better understand the practicability of providing an automatic means of improving the discernibility of audible warnings provided by trains when the driver applies emergency braking.</p> <p>The Rail Delivery Group (RDG), in conjunction with Network Rail and RSSB, should commission research into reasonably practicable ways of enabling a train's horn to automatically sound when a driver initiated emergency brake application is made on a moving train (as is already done on some UK tram systems). The objective of any such change would be to offer the best opportunity of the audible warning to be discernible, while taking the responsibility from the driver for sounding the horn during situations that are stressful (paragraph 359c).</p>	ORR has reported that Network Rail has reported that it has completed actions taken in response to this recommendation. ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.