1. Purpose of the paper

1.1 The purpose of this paper is to seek the board’s:
   a. Support for a proposal to change the RGS Code (the Code),
   b. Consent to change to those parts of the Standards Manual requiring their consent, and
   c. Approval of a new board intervention procedure to replace requirements withdrawn from the Manual.

1.2 These changes are recommended to the board by ISSC.

2. Key Points


2.2 The principal proposed changes are:
   a. Providing for the board intervention procedure to be used where consensus cannot be reached by Standards Committees
   b. A single, flexible RGS change process, rather than two separate processes depending on the scale of change proposed
   c. A single type of deviation from RGS, with conditions if necessary, rather than two types of deviation
   d. A single process for approving deviations, rather than separate processes depending on whether or not the RGS is being used as a national technical rule
   e. Elimination of one class of standard, Rail Industry Approved Codes of Practice (RACOPs), by making extended use of Rail Industry Standards (RISs)
   f. A restatement of the scope of RGS, reflecting their role as national rules, and improving clarity for decision makers
   g. Opening the processes in the Code to anyone who must comply with RGSs, not just RSSB members - a necessary consequence of the status of RGSs as national rules.
h Simplification of requirement relating to the management of committees
i Elimination of unnecessary administrative detail.

3. Reasons for revising the RGS Code and Standards Manual

3.1 The proposal to update the Code and the Standards Manual was driven by the need to reflect the status of the requirements in RGSs as ‘national rules’; and to make clear the proposition that in UK the Member State has delegated the authority for making decisions about these particular national rules to industry, through the Code. Annex A gives the background to this.

3.2 The opportunity has been taken to propose a simplification of the industry’s processes, and to respond to the comments in the report of ORR’s review of RSSB (August 2010) and the report of the Rail Value for Money Study (May 2011).

4. Revision to the RGS Code

4.1 The Code, Issue Three, requires the board to support proposals for changes to the Code.

4.2 ISCC considered a draft revision to the Code (Issue Four) at its meeting on 13 July 2012 and recommended that it should be supported by the board; and that, subject to the board’s support, it should be submitted for industry consultation for a period of 28 days.

4.3 The board is therefore invited to support the proposal to change the Code, as documented in the draft Code, Issue Four.

5. Revision to the Standards Manual

5.1.1 At its meeting on 13 July 2012, ISCC also considered a draft revision to the Standards Manual (Issue Three) and supported it being submitted for industry consultation for a period of 28 days. The revised Code and Standards Manual depend on one another and must therefore be consulted on at the same time.

5.1.2 The Standards Manual, Issue Two, requires the consent of the board before changes can be made relating to the board intervention procedure or the composition and chairmanship of ISCC.

5.2 The board intervention procedure

5.2.1 ISCC has supported withdrawal of the board intervention procedure from the Standards Manual and has supported its publication as a separate document. This avoids the need for the Standards Manual to be amended and re-published if the board wished to amend the intervention procedure.

5.2.2 There is a precedent for this approach in the publication of the board’s ‘Procedure for Railway Group Standards Code Appeals’ as a separate document on the RSSB website.
5.2.3 The draft text for the board intervention procedure is presented as Annex B. It is not intended to submit the intervention procedure for industry consultation.

5.2.4 The board is therefore invited to consent to the withdrawal of the board intervention procedure from the Standards Manual; and to approve the new intervention procedure to replace the requirements withdrawn from the Manual.

5.3 Composition and chairmanship of ISCC

5.3.1 The section of the Standards Manual dealing with the composition of ISCC (5.1.1) has been deleted, as it is thought that the requirements of the Code are sufficient in themselves. The revised Standards Manual does however provide an opportunity for the board to intervene if it believed the membership of ISCC had ceased to be appropriate.

5.3.2 The section of the Standards Manual dealing with the ISCC chairman has been revised to clarify it; but this revision does not change the intention of the current text.

5.3.3 The board is therefore invited to consent to the changes to the text dealing with the composition and chairmanship of ISCC in the draft Standards Manual, Issue Three.

6. Presentation of the Code and Standards Manual

6.1 The Code and Standards Manual are presented to the board as a single combined document attached as Annex C, setting out the complete governance arrangements for managing RGSs, in order to reduce the size of the meeting pack. The text of the Code is shown as shaded text within the text of the Standards Manual. The Code will be produced as a separate document before seeking final ORR approval.

7. Next steps

7.1 Subject to the board’s support, it is intended to consult industry during September/October 2012 on the draft Code and Standards Manual.

7.2 Once the consultation process is complete, approval of the revised Code will be sought from the board, in accordance with the requirements of RSSB’s Constitution Agreement, before final approval is sought from ORR.

8. Recommendations

8.1 The board is invited to:

a SUPPORT the proposal to change the Code, as recommended by ISCC (paragraph 4.3)

b CONSENT to changes to those parts of the Standards Manual requiring their consent to change (paragraphs 5.2.3 and 5.3.3)

c APPROVE the new board intervention procedure (paragraph 5.2.3).
Annex A

Background to RGS as ‘national rules’


A.1.2 In the UK, the Member State discharges these responsibilities by delegating the responsibility for managing those ‘national rules’ that are the industry’s standards, to the industry itself.

A.1.3 The Code is the means by which the Member State sets out how this responsibility is to be carried out in the case of Railway Group Standards (RGSs). The Code is approved by the Office of Rail Regulation (ORR), the National Safety Authority (NSA) for GB.

A.1.4 The Standards Manual documents how industry has decided to discharge the responsibilities placed upon it by the Code. The Standards Manual is approved by the Industry Standards Co-ordination Committee (ISCC).

A.1.5 The proposal to update the Code and the Standards Manual was driven by the need to reflect the status of the requirements in RGSs as national rules; and to make clear the proposition that the Member State has delegated the authority for making decisions about these national rules to industry, through the Code.

A.1.6 The Department for Transport (DfT) and the ORR, through their observers at ISCC, have agreed that this is the most effective means of managing those national rules that are requirements in RGSs.

A.1.7 RGSs are not the only national safety rules and national technical rules applicable to the mainline railway system. The Department for Transport (DfT) has reserved the right to make decisions about rules that are not RGSs.
Annex B

Outline of the Board Intervention Procedure

1. **Introduction**
   1.1 The Board is required to apply the intervention procedure in circumstances defined in the RGS Code, 8.1.
   1.2 This document sets out the procedure approved by the Board.

2. **Intervention by the Board**

2.1 **Initial actions**
   2.1.1 Where a matter has been brought to the attention of the Board by ISCC or by a chairman of a committee in accordance with the RGS Code, 8.1, the Board shall consider the following initial courses of action, as appropriate:
   - Encourage the relevant committee to take appropriate action
   - Draw the issue to the attention of members of RSSB
   - Review the membership of the relevant Standards Committee and require the Standards Committee to replace one or more of its members.

2.2 **Further action**
   2.2.1 Where the initial action has failed to remedy the problem in a timely manner, the Board shall take appropriate action itself to deal with the problem.
   2.2.2 In taking further action, the Board shall:
   - Demonstrate that, where appropriate, the Board sought advice from the relevant persons, and
   - Took full account of divergent views.

3. **Further actions relating to proposals to change an RGS**

3.1 If the further action concerns a proposal to change an RGS where the relevant Standards Committee cannot reach consensus, this may result in the Board deciding to:
   - Publish a draft RGS in its current state or in such state as the Board may decide is appropriate, for consultation, or
   - In light of responses to consultation on a draft RGS, approve and authorise the RGS for publication in a form which the Board considers to be appropriate.

3.2 In taking action in accordance with 3.1, the Board shall include with the consultation papers, consultation response or published RGS a statement of the nature of the failure to reach consensus and the Board’s assessment against 5.2 (decision taking principles) of the RGS Code.
3.3 Where a Standards Committee has approved a draft RGS for authorisation by RSSB and the Board considers that the RGS should not be authorised, the Board may decide to take further action itself (or cause RSSB to) by declining to authorise the change to the RGS.

3.4 If the Board decides to take action under 3.3, the Board shall

a. Publish a reasoned assessment against the RGS Code 5.2 which shall include reference to relevant available information

b. Send that assessment to the relevant Standards Committee(s) and all industry parties which must comply with the RGS or can be expected to have to comply with the RGS, and any other relevant parties.

4. **Further actions in relation to deviation applications**

4.1 If the further action concerns an application for a deviation where the relevant Standards Committee cannot reach consensus, this may result in the Board:

a. Requiring further consultation to be undertaken

b. Approving the application, with or without modification

c. Rejecting the application.

4.2 Where the application has been authorised by RSSB and the Board considers that the deviation should not have been authorised, the Board may decide to take further action itself or cause RSSB to do so.

4.3 If the Board decides to take action under 4.1 or 4.2 above, the Board shall provide to the applicant, the Standards Committee and RSSB the reasons for their decision against the RGS Code 5.2.

5. **Factors to be taken into account in taking further action**

5.1 In taking any further action under sections 3 and 4 of this procedure, the Board shall consider (among other things), as appropriate:

a. Whether the appropriate persons have been involved in the development of the RGS

b. Whether the necessary consultation (and, where relevant, consideration of responses) has been undertaken

c. Whether all procedural requirements have been met

d. Whether the decision taking principles set out in the RGS Code 5.2 have been applied correctly

e. Whether any strategies approved by the Board as relevant to RGSs have been taken into account

f. Whether there are any grounds for believing that adequate care has not been taken in drafting the RGS, and

g. Whether there has been a failure to observe the provisions of the RGS Code and Standards Manual.
6. Changing the procedure
6.1 Any proposal to change this procedure shall be approved by the Board.

7. Publication of the procedure
7.1 The procedure shall be published on the RSSB website.
Issue record

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Foreword to the Standards Manual

The Standards Manual is not a stand-alone document and needs to be read in conjunction with the Railway Group Standards Code (the Code). Each section of the Code is therefore reproduced in the relevant part of the Standards Manual, distinguished by a grey background.

The following conventions are used in the Standards Manual:

a) Where reference is made in the Standards Manual to part of the Code, the reference is prefixed by ‘Code’. References without this prefix are to another part of the Standards Manual. Generally in these cases, the paragraph number only is used.

b) The numbering of chapters, sections and paragraphs within the Code and Standards Manual are independent of each other (so for example, chapter 8 of the Standards Manual reproduces parts of chapter 4 of the Code).

c) Use of the word ‘he’ or ‘his’ is intended to relate to persons of either gender.

d) In this Standards Manual, use of the word ‘shall’ indicates a mandatory requirement. Paragraphs which use the terms ‘may’ or ‘should’ or similar are not mandatory and define guidance or suggested actions as the context in which they are used suggests.

e) Terms defined in the Code have the same meaning in the Standards Manual unless otherwise required by the context in which they are used.
1 Background

The Railway Group Standards Code
Governance arrangements for creating, changing, deviating from, and publishing Railway Group Standards

1 BACKGROUND

1.1 National rules


1.1.2 The responsibilities are defined differently for the two sets of rules, but in broad terms the intent of Directive 2008/57/EC and Directive 2004/49/EC is for member states to ensure that both sets of rules:

a) Are laid down in an open and non-discriminatory manner

b) Foster the development of a single European rail transport system

c) Implement the essential requirements

d) Are published in clear language, and

e) Are made available to all interested parties.

1.1.3 Railway Group Standards (RGSs) are national safety rules and national technical rules applicable to the mainline railway system. However, the Member State has delegated the authority for making decisions about creating, changing, deviating from and publishing these particular national rules to the rail industry. In doing this, the Member State must ensure that the responsibilities for national rules placed on it in Directive 2008/57/EC and Directive 2004/49/EC are discharged.

1.1.4 The Code therefore sets out the conditions on which that delegated authority is granted, in the form of a statement of the principles on which the industry will base its decisions about RGSs. It also sets out how RGSs are to be published. These conditions are necessary in order to ensure the responsibilities placed on the Member State in Directive 2008/57/EC and Directive 2004/49/EC are discharged.

1.1.5 Directive 2008/57/EC and Directive 2004/49/EC also place a responsibility on the Member State to notify national rules to the European Commission. The Member State has reserved the right to notify national rules and, as a consequence, the Code does not set out this notification process.
1.1.6 RGSs are not the only national safety rules and national technical rules applicable to the mainline railway system. The Member State has reserved the right to make decisions about rules that are not RGSs.

1.2 Purpose of the Code

1.2.1 The purpose of the Code is to meet the principles set out in 1.1.2 by defining the procedures by which:
   a) RGSs are created, revised or withdrawn
   b) RGSs are authorised
   c) RGSs are published.

1.2.2 The Code also defines the procedures by which:
   a) The effectiveness of RGSs is monitored and reviewed
   b) Deviations from RGSs are managed.

1.2.3 The Code is supported by a Standards Manual which describes how the requirements of the Code are to be delivered. As a result, both the Code and the Standards Manual need to be read together in order to obtain a complete understanding of the procedures supporting the purposes listed at 1.2.1 and 1.2.2.

1.1 Purpose of the Standards Manual

1.1.1 The Standards Manual supplements the Code by defining those elements of the cross industry management of RGSs and associated documents which are not subject to formal Office of Rail Regulation (ORR) approval. In addition, the Standards Manual includes guidance relating to the management of RGSs and defines procedures for other documents authorised by RSSB.

1.1.2 The purpose of the Standards Manual is to define:
   a) The processes by which the requirements of the Code are delivered
   b) The roles and responsibilities of RSSB and others within those processes
   c) How the processes for the production and maintenance of RGSs apply to the following documents authorised by RSSB:
      i) Rail Industry Standard (RIS)
      ii) Rail Industry Guidance Note (GN).
   d) The process for agreeing RSSB support in the production of other industry documents.
2 Definitions

2 DEFINITIONS

2.1 In the Code, unless the context otherwise requires, the following terms shall have the following meaning:

Deviation

A deviation is a permission to comply with a specified alternative to a requirement or requirements in a RGS. A deviation has a specified scope and, where relevant, duration.

Essential requirements

The essential requirements are set out in the Railway Interoperability Directive 2008/57/EC.

Infrastructure manager

Infrastructure manager has the meaning given to it in the Railways and Other Guided Transport Systems (Safety) Regulations 2006, save that for the purpose of the Code, the term is limited to those infrastructure managers who hold a safety authorisation issued in respect of the mainline railway.

Interested party

An interested party is any party who is, or is likely to be, directly affected by the subject matter of an existing or proposed RGS or any variation thereto.

Mainline railway

Mainline railway has the meaning given to it in the Railways and Other Guided Transport Systems (Safety) Regulations 2006 but excluding any railway in Northern Ireland; the dedicated high speed railway between London St Pancras International Station and the Channel Tunnel; and the Channel Tunnel.

Mainline railway system

Mainline railway system means the mainline railway and the management and operation of the mainline railway as a whole.

National safety rule (NSR)

National safety rule has the meaning given to it in the Railway Safety Directive 2004/49/EC.

National technical rule (NTR)

National technical rule means a technical rule used for implementing the essential requirements in the circumstances listed in Article 17(3) of the Railway Interoperability Directive 2008/57/EC.
**Railway Group Standard (RGS)**

A RGS is a document produced under the procedures set out in the Code (or equivalent predecessor documents, including previous versions of the Code) that defines mandatory requirements in respect of the mainline railway system. RGSs contain national technical rules and national safety rules applicable to the mainline railway system.

**Railway system**

Railway system has the meaning given to it in the Railway Safety Directive 2004/49/EC.

**Railway undertaking**

Railway undertaking has the meaning given to the term ‘transport undertaking’ in the Railways and Other Guided Transport Systems (Safety) Regulations 2006, save that for the purpose of the Code, the term is limited to those railway undertakings who hold a Part B safety certificate issued in respect of the mainline railway.

**Requirement**

A requirement is a discrete statement that identifies an action to be taken, a process to be followed or a state to be achieved.

**RSSB**

RSSB means the Rail Safety and Standards Board Limited.

**Specific case**

A specific case has the meaning given to it in the Railway Interoperability Directive 2008/57/EC.

**Structural subsystem**

A structural subsystem has the meaning given to it in the Railway Interoperability Directive 2008/57/EC (that is, the infrastructure, energy, control-command and signalling on-board, control-command and signalling trackside, and rolling stock subsystems).

**Subsystem**

The railway subsystems are set out in the Railway Interoperability Directive 2008/57/EC.

**Technical Specification for Interoperability (TSI)**

A TSI is a specification adopted by the Commission of the EU in accordance with the Railway Interoperability Directive 2008/57/EC by which each subsystem or part subsystem is covered in order to meet the essential requirements and ensure the interoperability of the rail system.
2.1 Additional definitions for the Standards Manual

**Transport operator**

A transport operator is either a railway undertaking or an infrastructure manager.

2.2 Other terms defined in the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended) and the Railways (Interoperability) Regulations 2011 shall have the meanings given to them in those regulations.

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**Lead Standards Committee**

The Lead Standards Committee is the approving Standards Committee in relation to a particular RGS or other document; or, in the case of deviations, in relation to a particular requirement.

**Multifunctional Standards Committee**

A Multifunctional Standards Committee is a Standards Committee established to take decisions in respect of changes to a specific RGS that covers more than one subsystem.

**National Operations Publications (NOPs)**

NOPs are RGSs which define instructions for direct application by staff employed by transport operators.

**Open point**

An open point is a specification necessary to meet the essential requirements, but which has not yet been developed and therefore is not included in a Technical Specification for Interoperability (TSI). Open points are listed in an annex to the relevant TSI.

**Project entity**

Project entity has the meaning given to it in the Railways (Interoperability) Regulations 2011.

**Rail Industry Guidance Note (GN)**

A GN is a document produced under the procedures set out in the Standards Manual (or equivalent predecessor documents, including previous versions of the Standards Manual) that provides potentially helpful information relating to the management and/or operation of the railway system or its subsystems.

**Rail Industry Standard (RIS)**

A RIS is a document produced under the procedures set out in the Standards Manual (or equivalent predecessor documents, including previous versions of the Standards Manual) that defines functional or technical
requirements that may be adopted in circumstances where management of a railway subsystem does not necessitate the use of a RGS.

**Standards catalogue**

The standards catalogue is the catalogue required by chapter 15 of the Standards Manual.

**Support Standards Committee**

A Support Standards Committee is a Standards Committee, other than the Lead Standards Committee, that has an interest in respect of the content of a particular RGS or other document.

**Vehicle**

A vehicle is a railway vehicle that runs on its own wheels on railway lines with or without traction and is composed of one or more structural subsystems or parts of such subsystems.

## 3 Responsibilities of transport operators

### 3 RESPONSIBILITIES OF TRANSPORT OPERATORS

3.1 Transport operators shall:

- a) Provide suitably empowered representatives to participate in the Industry Standards Co-ordination Committee (ISCC), Standards Committees, and any sub-committees and drafting groups

- b) Encourage their suppliers to provide suitable representatives to participate in the ISCC, Standards Committees, and any sub-committees and drafting groups

- c) Promptly and adequately review all documents issued for consultation under the Code relating to changes that affect them and make suitable inputs and responses in accordance with the procedures defined in the Code and Standards Manual

- d) Provide all such information as may reasonably be required in order to assess the impacts of:
  - i) A proposal to develop, revise or withdraw a RGS, or
  - ii) An application for a deviation from a RGS.

- e) Have internal arrangements directed towards ensuring that, when there is an intention to change their practices or introduce new technology which may require a change to or a deviation from a RGS, a reasonably sufficient time is allowed for the development to be accommodated by the procedures defined in the Code and Standards Manual.

3.1 The Standards Manual contains no requirements or guidance in relation to **chapter 3** of the Code about the responsibilities of transport operators.
4 The Board of RSSB

4 COMMITTEES

4.1 The Board of RSSB

4.1.1 The Board of RSSB (the Board) shall keep under review the activities of the Industry Standards Co-ordination Committee, the Standards Committees and RSSB as they relate to the responsibilities placed on them in the Code and the Standards Manual.

4.1 The Standards Manual contains no requirements or guidance in relation to chapter 4 of the Code about the Board of RSSB (the Board).

5 Industry Standards Co-ordination Committee

4.2 Industry Standards Co-ordination Committee

4.2.1 A committee, known as the Industry Standards Co-ordination Committee (ISCC) and accountable to the Board, shall be established and maintained.

4.2.2 The purpose of ISCC shall include:

a) Providing Standards Committees, RSSB and others with responsibilities for the management of RGSs with direction, advice and guidance on matters including, but not limited to:

i) The interpretation of the Code

ii) European standards issues relevant to the mainline railway system which affect RGSs

iii) Prioritisation and resource allocation for changes to RGSs

iv) The reconciliation of uncertainty or conflict between Standards Committees

v) The impact of any changes in legislation on the content of RGSs

vi) Any strategies approved by the Board as relevant to RGSs

vii) Actions required to correct any alleged failure of process or causes of undue delay, which may include elevating matters to the Board.

b) Providing advice to the Board under the intervention procedure in 8.1

c) Monitoring and reviewing the effectiveness of:

i) RGSs in meeting their purpose

ii) The procedures defined in the Code and Standards Manual for managing the creation, revision or withdrawal of RGSs.
5.1 Purpose of the Industry Standards Co-ordination Committee

5.1.1 In addition to the purpose of the Industry Standards Co-ordination Committee (ISCC) set out in the Code at 4.2, the purpose of ISCC shall include:

a) Providing a forum for the discussion of legislation relevant to standards to understand any differing industry needs and to establish, where possible, a common industry position.

b) Liaising with government and relevant industry groups to establish whether strategies produced by these groups should become relevant strategies under the Code, and to enable the delivery of standards that support such strategies.

c) Maintaining an overview of relevant European Commission and European Railways Agency emerging policies and issues that may affect standards in order to influence the direction of these policies.

d) Working with government and relevant industry groups to develop strategies for the direction of TSIs and other standards-related documents.

e) Endorsing proposed GB specific cases and the associated economic evaluations prior to them being proposed for inclusion in a TSI.

f) Influencing the processes at European level for developing and managing TSIs and Euronom

g) Approving the composition and coverage of each Standards Committee.

5.2 Operation of ISCC

5.2.1 ISCC may regulate its proceedings as it sees fit, subject at all times to complying with the provisions of the Code and the Standards Manual.

5.2.2 ISCC shall produce a remit which describes, as a minimum:

a) The main purpose and scope of ISCC

b) The governance and working arrangements of ISCC

c) The key activities of ISCC in support of its purpose.

5.2.3 At appropriate intervals, ISCC shall review the adequacy of its remit and composition.

5.2.4 The remit shall be published.

5.2.5 Unless ISCC otherwise decides:

a) It shall meet at least once every three months, and
b) Its meetings shall be quorate only if at least five of its members are present which must include at least one Network Rail representative and one railway undertaking (passenger) representative.

5.2.6 ISCC shall only take a decision if, in addition to the requirements of 5.2.5b), at least one representative of each of the industry categories most likely to be affected by that decision are present.

5.2.7 Where at least one representative of each of the industry categories most likely to be affected by an ISCC decision are not present, the decision shall either be:
   a) Deferred to the following meeting, or
   b) Dealt with via correspondence if the ISCC Chairman believes this is appropriate given the timing and importance of the issue.

5.2.8 The ISCC Chairman shall:
   a) Approve the agenda for each ISCC meeting, and
   b) With support from the ISCC secretary, encourage the relevant parties to submit papers which adequately support each agenda item.

5.3 ISCC Chairman’s annual report to the Board

5.3.1 During the first quarter of each calendar year the ISCC Chairman shall prepare and submit an annual report to the Board which shall comprise, as a minimum:
   a) A summary of the activities of ISCC (including those of any ISCC sub-committees) over the previous calendar year
   b) The views of ISCC on the progress made by Standards Committees and RSSB on work relating to RGSs and associated documents, and
   c) The results of the annual review of membership, carried out in accordance with Appendix A, section A8.

5.3.2 RSSB shall publish the report produced in accordance with 5.3.1 after it has been considered by the Board.

5.4 Oversight of the Standards Committees

5.4.1 ISCC, taking account of the views of RSSB and the Standards Committees via their Chairmen, shall be responsible for approving the composition and coverage of each Standards Committee, as described in 10.4.1, with any necessary amendments ISCC determines are appropriate.

5.4.2 If ISCC considers a Standards Committee is failing in a material way to apply the requirements of the Code or Standards Manual (for example, without limitation, by failing to apply correctly the decision taking principles defined in 5.2 of the Code, causing undue delay or failing to act), ISCC shall encourage the relevant Standards Committee to take appropriate action.

5.4.3 Where the action in 5.4.2 has been tried and has not remedied the failure in a timely manner, ISCC shall draw the issue to the attention of the Board.
6 Standards Committees

4.3 Standards Committees

4.3.1 Committees, known as Standards Committees and reporting to ISCC, shall be established and maintained.

4.3.2 The purpose of the Standards Committees shall include:

a) Directing, prioritising and approving the creation of RGSs and the development, revision and withdrawal of RGSs

b) Identifying and proposing new requirements, or improvements to requirements defined in existing RGSs, or the withdrawal of requirements from existing RGSs

c) Ensuring the suitability of the requirements in RGSs as:
   i) National technical rules, or
   ii) National safety rules.

d) Approving deviations from requirements in RGSs

e) Identifying and proposing improvements to the procedures defined in the Code and Standards Manual for managing the creation, revision or withdrawal of RGSs

f) Monitoring and reviewing the TSIs and other European standards in order to identify any necessary revisions to requirements in RGSs

g) Directing, prioritising and approving resources to support industry’s input to European standards activities relevant to RGSs

h) Informing ISCC about issues which could have significant implications for the mainline railway system.

4.3.3 Other than items 4.3.2a) and d), Standards Committees may delegate to sub-committees any of the activities listed in 4.3.2, subject to such terms and restrictions as they may specify. Any sub committee having delegated authority for the activities listed in 4.3.2 shall from time-to-time provide a report on those activities to the Standards Committee delegating the activities.

4.3.4 It is permissible for the Standards Committees to have other, additional, purposes. These other purposes shall be defined in the Standards Manual.

6.1 Purpose of Standards Committees

6.1.1 In addition to the purpose of Standards Committees set out in the Code at 4.3.2, the purpose of Standards Committees shall include:

a) Developing strategies for the direction of relevant TSIs, and seeking ISCC’s endorsement for those strategies.

b) Identifying the need for GB specific cases.
c) Directing the development of, and seeking ISCC’s endorsement for, proposed GB specific cases and the associated economic evaluations.

6.2 **Operation of Standards Committees**

6.2.1 Each Standards Committee may regulate its proceedings as it sees fit, subject at all times to complying with the provisions of the Code and the Standards Manual.

6.2.2 Each Standards Committee shall produce a remit which describes, as a minimum:

a) Its coverage in terms of technical areas, consistent with the statement provided to the Standards Committee in accordance with 10.4.2.

b) The agreed working arrangements for that committee.

c) The circumstances, if any, in which the Chairman of that committee may approve an application for a deviation outside of a committee meeting.

6.2.3 At appropriate intervals, each Standards Committee shall review the adequacy of its remit.

6.2.4 The remit shall be published.

6.2.5 Unless a Standards Committee otherwise decides:

a) It shall meet at least once every three months, and

b) Its meetings shall be quorate only if at least three quarters of its members are present which must include at least one Network Rail representative and one railway undertaking (passenger) representative.

6.2.6 A Standards Committee shall only take a decision if, in addition to the requirements of 6.2.5b), at least one representative of each of the industry categories most likely to be affected by that decision are present.

6.2.7 Where at least one representative of each of the industry categories most likely to be affected by a Standards Committee decision are not present, the decision shall either be:

a) Deferred to the following meeting, or

b) Dealt with via correspondence if the Chairman believes this is appropriate given the timing and importance of the issue.

6.3 **Duties of Standards Committee Chairmen**

6.3.1 The Standards Committee Chairman shall:

a) Approve the agenda for each Standards Committee meeting, and

b) With support from that committee’s secretary, encourage the relevant parties to submit papers which adequately support each agenda item.

6.4 **Standards involving more than one Standards Committee**

6.4.1 RSSB, taking into account the views of the Standards Committees, shall designate for each RGS:
a) Which Standards Committee shall be the Lead Standards Committee, and

b) Which other Standards Committees shall be Support Standards Committees.

6.4.2 In making its designation in accordance with 6.4.1 RSSB shall:

a) Identify the Traffic Operation and Management Standards Committee as the Lead Standards Committee for all NOPs, and

b) Not identify a Multifunctional Standards Committee as a Lead Standards Committee for any RGS.

6.4.3 Wherever a change to a RGS or a deviation from a RGS is being considered by a Lead Standards Committee, or, in accordance with 7.4.2 of the Code, by the Chairman of that committee:

a) The Lead Standards Committee or its Chairman as appropriate shall take account of the views of any Support Standards Committees in making any decisions, and

b) In the event of any disagreement with a Support Standards Committee, the views of that Support Standards Committee shall prevail in respect of any requirements within the technical areas identified within its remit.

6.5 Multifunctional Standards Committees

6.5.1 ISCC may approve the establishment of a Multifunctional Standards Committee to take decisions in respect of changes to a specific RGS:

a) Where, having taken the advice of RSSB, ISCC considers it would be more expedient or efficient to form a Multifunctional Standards Committee, or

b) When the Lead and Support Standards Committee(s) do not or cannot agree on an issue that involves more than one subsystem.

6.5.2 Even when a Multifunctional Standards Committee is to be established, the decision to proceed with a proposal for change to a RGS in accordance with 12.3.1 shall normally be taken by the Lead Standards Committee.

6.5.3 Any decision in respect of a deviation related to a RGS for which a Multifunctional Standards Committee has been established shall normally be taken by the Lead Standards Committee for the deviation.

6.5.4 In exceptional circumstances, ISCC may approve the establishment of a Multifunctional Standards Committee to take decisions to proceed with proposals for change to a RGS in accordance with 12.3.1, or decisions in respect of deviations, related to a particular RGS.

6.5.5 Each Multifunctional Standards Committee shall be established as follows:

a) The Lead and relevant Support Standards Committee Chairmen shall each select two or more persons to sit on the committee

b) With the consent of their Standards Committee, each Chairman may select persons who are not members of their Standards Committee
c) RSSB shall appoint an appropriate member of RSSB personnel to serve as a member of the committee.

d) Each Multifunctional Standards Committee shall, as a minimum, include representatives of the following industry categories:

i) Railway undertakings (passenger)

ii) Railway undertakings (non-passenger), and

iii) Network Rail and other infrastructure managers.

6.5.6 The Chairman of the Multifunctional Standards Committee shall be elected in accordance with Appendix A, section A3.

6.5.7 The Multifunctional Standards Committee shall produce a remit in accordance with 6.2.2, consistent with the purpose for which it was established by ISCC.

6.5.8 Each Multifunctional Standards Committee shall be disbanded once it has completed the specific task for which it was created.

7 Sub-committees

7.1 A committee may delegate tasks to a sub-committee in accordance with 4.3.3 of the Code, whenever it is necessary or expedient to do so and only when the work does not fall within the remit of another existing committee.

7.2 The delegating committee shall determine:

a) The membership of any sub-committees created by that committee, and

b) The arrangements that apply in terms of determining whether each sub-committee meeting is quorate.

7.3 Not all sub-committee members need to be members of the delegating committee, but each sub-committee shall include at least one member of the delegating committee.

7.4 A member of each sub-committee shall be responsible for producing a written record of the sub-committee meeting in the form determined most appropriate by that sub-committee.

7.5 The members of the delegating committee who take part in a sub-committee shall be responsible for informing that committee of the work of the sub-committee.

8 Membership and chairmanship of the committees

4.4 Membership of committees

4.4.1 The membership of ISCC and of each Standards Committee shall, as a minimum, allow for a representative of each of the industry categories entitled to be represented on the Board and a representative of RSSB.
4.4.2 A committee may co-opt persons to be members of that committee where it appears to the committee that such persons will better enable it to fulfil its functions, provided that the majority of the committee members are representatives of the industry categories referred to in 4.4.1.

4.4.3 Other than the Chairman of ISCC and the Chairman of a Standards Committee, each member of ISCC or a Standards Committee representing an industry category shall represent the views of their industry category.

4.4.4 The DfT and the ORR may each appoint an observer to ISCC, each Standards Committee and any sub-committee.

4.4.5 Information about ISCC and each Standards Committee shall be published which:

a) Lists the name of each member of the committee representing an industry category, the industry category that the member represents, and the company for which the member works

b) Lists the name of the member of the committee representing RSSB

c) Lists the name of persons co-opted as members of the committee, where the committee intends that person to be a member of the committee for a period of greater than one year, and the company for which the person works

d) Lists the name of any DfT and ORR observers to the committee, and

e) Identifies the Chairman of the committee.

8.1 Applicability of chapter 8

8.1.1 This chapter (chapter 8) of the Standards Manual applies to ISCC, Standards Committees and their sub-committees.

8.1.2 Other requirements relating to the membership and chairmanship of committees are set out in Appendix A.

8.2 Conflicts of interest

8.2.1 If the interests of the industry category which appointed a member in any way conflict with the purpose of the committee or the long-term best interests of the industry as a whole, that member shall not seek to promote their industry category’s interests in a manner which is inconsistent with the purpose of the committee or the long-term best interests of the industry as a whole.

8.2.2 A committee may require a member to resign from that committee if that member breaches 8.2.1.
8.2.3 In such circumstances:
   a) A new member shall then be appointed under the procedures in Appendix A, section A2, and
   b) The fact of such a resignation shall be advised to the Board for ISCC members and to ISCC for Standards Committee members.

8.3 Disclosure of interests

8.3.1 It is possible that a committee member or the organisation for which the member works may have a direct or indirect personal or corporate interest in a matter to be discussed by that committee, as distinct from a common interest of the industry category he represents. In such circumstances, the member concerned shall declare that interest:
   a) To the Chairman of the committee of which he is a member at the earliest possible opportunity, and
   b) To the committee of which he is a member:
      i) On the first occasion at which the matter is discussed, or
      ii) If he is not aware of that interest at that time, at the next committee meeting after which he becomes aware of the interest, whether or not the matter is being discussed at that meeting.

8.3.2 Once disclosed, an interest need not be disclosed again in relation to the matter for which it was disclosed.

8.3.3 When a committee member declares such an interest:
   a) The other committee members shall decide whether that member may continue to participate in discussions on the matter concerned, and
   b) If the other committee members decide it is appropriate, the member may be excluded from the meeting when it discusses the matter concerned.

8.3.4 Should the committee decide to exclude the member with the interest, and provided he has sufficient notice of the exclusion, the member shall exercise reasonable endeavours to appoint a suitable alternate for discussion on the matter concerned.

8.3.5 Where a committee member has breached 8.3.1, the relevant committee shall determine whether it requires that member to resign from that committee.

8.3.6 In such circumstances:
   a) A new member shall then be appointed under the procedures in Appendix A, section A2, and
   b) ISCC and the Board shall be informed of the fact of such a resignation.
9 Consensus

4.5 Method of decision taking by committees

4.5.1 All decisions taken by committees shall be undertaken by consensus, where consensus means general agreement, characterised by:

a) The absence of sustained opposition to substantive issues by any member of the committee concerned

b) A process that involves seeking to take into account the views of all the members of the committee concerned and to reconcile conflicting arguments.

4.5.2 When, in the opinion of the Chairman, a committee is unable to achieve consensus and undue delay would result, the decision shall be elevated to the Board under the intervention procedure in 8.1.

9.1 The Chairman of a committee shall seek to allow sufficient time for consideration of each agenda item.

9.2 Where a committee cannot achieve consensus in relation to any particular matter, the Chairman shall decide the most appropriate way to proceed following consultation with those committee members who represent industry categories consisting of organisations which hold safety authorisations or safety certificates relevant to the matter in question.

9.3 When a Standards Committee cannot reach consensus on an issue, the following guidelines shall also apply:

a) Where the difference of opinion is of a technical nature the Standards Committee should consider referring the matter to the relevant System Interface Committee or other relevant cross-industry body to seek advice.

b) Where related to the purpose or understanding of the Code, the Standards Committee Chairman should raise the matter with ISCC which may provide direction, advice or guidance.

c) Where related to an alleged failure of process, any member of the Standards Committee may raise the matter with ISCC which may provide direction, advice or guidance.

d) Where related to economic issues (for example, balancing relative costs and benefits across industry) the Standards Committee Chairman should raise the matter with ISCC which may provide direction, advice or guidance.

9.4 Where ISCC cannot reach consensus on an issue the ISCC Chairman shall raise the issue with the Board.
10 RSSB support to the committees

4.6 Administrative support for committees

4.6.1 RSSB is responsible for the administration of ISCC, Standards Committees and sub-committees and their meetings, and the provision of the resources, support and information necessary for their operation.

10.1 RSSB support

10.1.1 In administering each committee, RSSB shall:

a) Provide a person to be the secretary for each committee (who shall not be considered a member of that committee)
b) Circulate the agenda and papers to the committee members so they are received not less than five clear business days before the meeting
c) Prepare a schedule of committee meetings for a period not less than six months in advance
d) Provide notice of committee meetings to all members of that committee and their alternates
e) Provide a venue for meetings, and
f) Provide any other support that the chairman, committee members, or secretary may reasonably require.

10.2 Committee meeting minutes

10.2.1 Committee meeting minutes shall contain a record of the rationale for each decision made in that meeting, or a reference to where the record of the rationale may be found.

10.2.2 Once the minutes have been approved:

a) The approved minutes of ISCC shall be published
b) A record of decisions made in each Standards Committee meeting shall be published, and
c) The relevant parts of the minutes shall be sent to any other person who submitted items for consideration by the committee, if so requested by that person.

10.3 RSSB actions in relation to ISCC

10.3.1 RSSB shall:

a) Submit to ISCC regular progress reports (at a frequency to be determined by ISCC) covering:
   i) Proposals for change to RGSs
   ii) The standards programme
   iii) The work being undertaken by the Standards Committees
   iv) Deviations.
b) Seek advice from ISCC on changing RGSs, and other documents produced under the procedures set out in the Standards Manual, to meet the needs of the railway industry.

c) Take account of advice given by ISCC in relation to the application of strategies approved by the Board as relevant to RGSs.

10.4 RSSB actions in relation to Standards Committees

10.4.1 RSSB shall propose to ISCC a statement for each Standards Committee which sets out:

a) The composition of the committee, in accordance with Appendix A, paragraph A2.2, and

b) The coverage for the committee.

10.4.2 Following ISCC approval, RSSB shall provide the statement to the relevant Standards Committee.

10.4.3 From time to time RSSB shall:

a) Undertake a full review of the number of Standards Committees and the statements prepared under 10.4.1, in consultation with the Chairmen of the Standards Committees, and

b) Recommend to ISCC whether any changes should be made that would better fulfil the purpose of Standards Committees in support of the Code.

10.4.4 RSSB shall brief the Standards Committee Chairmen on relevant issues from ISCC to encourage:

a) Consistency of policies and advice

b) A co-ordinated approach from all committees, and

c) Appropriate information sharing between committees.

10.4.5 RSSB shall publish a list of:

a) The dates on which Standards Committee meetings are to be held, and

b) The cut-off date for the submission of proposals for change to RGSs and deviation applications corresponding to each of those meetings.

11 Scope, decision taking principles and content of RGSs

5 SCOPE, DECISION TAKING PRINCIPLES AND CONTENT OF RGSs

5.1 Scope of RGSs

5.1.1 A requirement is within the scope of RGSs if it meets the characteristics of either:

a) A national technical rule (NTR) as set out in the Railway Interoperability Directive 2008/57/EC, or

5.1.2 Requirements setting safety targets for the railway system are not within the scope of RGSs.

5.1.3 Requirements on safety management systems and safety certification of railway undertakings or safety authorisation of infrastructure managers are not within the scope of RGSs.

11.1 Scope of RGSs

11.1.1 Subject to 11.1.2 and 11.1.3, a requirement shall be within the scope of RGSs only if all of the following statements apply:

a) It is railway specific, and

b) It relates to:
   i) A structural subsystem, or
   ii) The Traffic Operation and Management (TOM) subsystem, and

c) It is required:
   i) For compatibility between vehicles and vehicles, or between vehicles and the infrastructure, energy or control-command and signalling (CCS) trackside subsystems, or
   ii) For compatibility between procedures of different transport operators, or
   iii) For compatibility between procedures and related equipment of different transport operators.

11.1.2 A requirement included in a NOP shall be within the scope of RGSs if it meets the criteria set out in the operational concept for the mainline railway approved by the Board.

11.1.3 It is permissible to include or retain a requirement in a RGS that is not within the scope defined by 11.1.1 if it is necessary to address an open point in a TSI.

11.1.4 A requirement shall not be within the scope of RGSs in respect of:

a) Maintenance depots or goods depots, or

b) Sidings, except those identified by an infrastructure manager in the Sectional Appendix as forming part of the mainline railway,

unless the requirement is necessary to ensure compatibility between the structural subsystems of the mainline railway and depots and sidings.
5.2 Decision taking principles

5.2.1 In taking decisions related to requirements, including decisions on proposals for change to requirements in RGSs and deviations from requirements in RGSs, Standards Committees shall only approve solutions which:

a) Enable the railway system and its subsystems to meet the essential requirements, and

b) Promote the long-term best interests of the mainline railway system as a whole.

5.2.2 In taking decisions on proposals for change to requirements in RGSs, Standards Committees shall only approve solutions which also foster the development of a single European rail transport system.

11.2 Decision taking principles

11.2.1 When taking a decision related to requirements, including decisions on proposals for change to requirements in RGSs and deviations from requirements in RGSs, the relevant Standards Committee shall consider:

a) Whether the requirements are within the scope of RGSs

b) Whether the requirements are likely to deliver their intention

c) The predicted impacts for the railway system as a whole associated with compliance with the requirements

d) Whether the requirements align with:

   i) Relevant legislation

   ii) Relevant TSIs

   iii) Any strategies approved by the Board as relevant to RGSs.

11.3 Legislation

11.3.1 A requirement shall not:

a) Repeat legislation, or

b) Conflict with legislation.

11.3.2 A requirement may:

a) Impose more restrictive limits than are defined in legislation

b) Expand the scope of legislation to include the mainline railway system, where this is not already the case, or

c) Define how legislation is to be complied with.
11.4 Assessment of the impacts

11.4.1 In order to support Standards Committees in taking decisions related to changes to requirements in a RGS, RSSB shall undertake the assessment of the predicted impacts arising from the proposed changes to the requirements.

11.4.2 The assessment shall consider all types of impact that may be created by the proposed change. This will include, but not necessarily be limited to, the impacts on:

a) The costs and benefits of compliance
b) The service performance of the railway
c) The continuing safety of the railway.

11.4.3 The effort expended by RSSB in providing the assessment of the impacts shall be proportionate, in the reasonable opinion of RSSB, to the scale of the predicted impacts from, and complexity of, the change at the time the decision is taken.

5.3 Content of RGSs

5.3.1 Each RGS shall identify:

a) Its intended purpose and scope.

b) The requirements to be applied and, if further clarification is required, what is to be done in order to comply with those requirements.

c) Where appropriate, how conformity with each requirement may be assessed.

d) In the case of a process prescribing how subsystems and interfaces must be operated or managed, who is responsible for putting the process into effect.

e) When each requirement shall be complied with in respect of new, renewed or upgraded subsystems or parts of subsystems; or when each process shall come into effect.

5.3.2 The compliance dates referred to in 5.3.1(e) shall allow (so far as practical) a reasonable time for industry parties, whom the relevant Standards Committee considers may be materially affected by the change, to make consequential changes within their businesses.

11.4.4 The Standards Manual contains no requirements or guidance in relation to 5.3 of the Code about the content of RGSs.
12 Changes to RGSs

6 CHANGES TO RGSs

6.1 Proposals for change to RGSs

6.1.1 Any party may submit a proposal to create a new requirement in a RGS, or to revise or withdraw a requirement in an existing RGS.

6.1.2 ISCC or a Standards Committee shall submit a proposal for change to a RGS when there are reasonable grounds for considering that the creation, revision or withdrawal of a requirement in a RGS is necessary.

6.1.3 A proposal shall:

a) Clearly describe the intention of, and reasons for, the proposed change to a requirement in a RGS.

b) State when this change is needed and the reasons for the stated timescale.

c) Provide relevant supporting information to assist the Standards Committee in taking a decision in accordance with 5.2, regarding whether to proceed with the proposal.

6.1.4 The method of submitting proposals for change to RGSs shall be set out in the Standards Manual.

6.1.5 The proposer shall be kept informed of progress with the proposal and also of any significant amendments to it, with an explanation for these amendments.

12.1 Proposals for change to RGSs

12.1.1 All proposals for change to RGSs shall be submitted on the proposal form published from time to time by RSSB.

12.1.2 RSSB shall request further information from the party submitting a proposal for change to a RGS prior to that proposal being considered by a Standards Committee, where RSSB does not consider that the proposal is sufficiently complete to enable a Standards Committee to take a decision in relation to that proposal.

12.2 Register of proposals

12.2.1 RSSB shall establish, maintain and publish a register of all proposals for change to RGSs.

12.2.2 For each proposal, the register shall record:

a) A reference number for each proposal

b) The title of the proposal

c) The company for which the proposer works (if relevant)

d) The status of the proposal, and
e) Documents for which the proposal is likely to have implications (such as RGSs or deviations).

12.2.3 RSSB shall update the register at least once a month.

<table>
<thead>
<tr>
<th>6.2</th>
<th>Consideration of proposals for change to RGSs by Standards Committees</th>
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<tbody>
<tr>
<td>6.2.1</td>
<td>The relevant Standards Committee shall review each proposal for change to a RGS (except for any which are trivial or vexatious), considering whether the proposal is sufficiently complete, based on the requirements in 6.1.3.</td>
</tr>
<tr>
<td>6.2.2</td>
<td>The relevant Standards Committee shall decide, using the decision taking principles set out in 5.2, whether to proceed with the proposal.</td>
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12.3 Consideration of proposals for change to RGSs by Standards Committees

12.3.1 In deciding whether to proceed with a proposal for change to a RGS as required by 6.2.2 of the Code, the Lead Standards Committee shall:
   a) Adopt the proposal without modification
   b) Adopt the proposal with modification, or
   c) Reject the proposal.

12.3.2 The Lead Standards Committee shall determine:
   a) The amount of the RGS that should be subject to the change process, and
   b) The priority that should be given to the proposal taking account of the associated urgency, importance, nature and scale of the proposal, and in the context of other work being carried out on behalf of Standards Committees.

12.3.3 For each new proposal, the Chairmen of any Support Standards Committees for the relevant RGS shall decide whether the proposal should be considered by their committee.

12.3.4 Where a Support Standards Committee is to consider a proposal, the Chairman of that committee shall inform the Chairman of the Lead Standards Committee for the relevant RGS of:
   a) The date on which the proposal is to be considered, and
   b) The opinion of the Support Standards Committee after it has considered the proposal.

12.4 Keeping proposals for change to RGSs under review

12.4.1 RSSB shall keep the work on each proposal for change to a RGS under review and shall recommend to the Lead Standards Committee that work on a proposal should stop and the proposal should be deleted from the standards programme, if in the opinion of RSSB, either:
   a) The reason for the proposal ceases to exist or to be material, or
b) The work on the proposal causes the proposal to cease to comply with the decision taking principles defined in section 5.2 of the Code and section 11.2 of the Standards Manual.

12.5 The standards programme
12.5.1 RSSB shall establish, maintain and publish a standards programme of all proposals for change to RGSs where the Lead Standards Committees have decided to proceed with work on those proposals.

12.5.2 Each proposal in the standards programme shall:
   a) Contain the reference number of the proposal
   b) List the title and relevant RGS number(s)
   c) Record the stage the work on the proposal is at, and
   d) Show expected dates for the achievement of key milestones.

12.5.3 A proposal may not be deleted from the standards programme until:
   a) The Lead Standards Committee has decided that the proposal should be deleted from the standards programme for any reason, or
   b) The change to the RGS derived from it is authorised, or
   c) A decision is made not to authorise the change.

12.5.4 RSSB shall update the standards programme at least once a month.

12.5.5 RSSB shall advise the Lead Standards Committee of significant changes to expected dates for the achievement of key milestones.

6.3 Production of RGSs
6.3.1 Appropriate expertise and experience shall be employed in the production of RGSs to achieve the necessary quality of output.

6.3.2 Where specific expertise is required and that expertise is not readily available, the necessary expertise shall be procured from a suitable source.

6.4 Determination of consultation requirements by Standards Committees
6.4.1 For each proposed change to a RGS the relevant Standards Committee shall determine the manner in which consultation is to be undertaken in accordance with either 6.5 or 6.6. If consultation is to be undertaken in accordance with 6.5 the relevant Standards Committee shall determine:
   a) The amount of the RGS that should be subject to consultation, and
   b) The time allowed for consultees to respond to the consultation.
12.6 Determination of consultation requirements by Standards Committees

12.6.1 Where the amount of the RGS that should be subject to the change process has been limited in accordance with 12.3.2a), then the Standards Committee may choose to limit consultation to the parts of the RGS which have been proposed for revision (but responses received in respect of any of the RGS concerned shall be considered).

12.6.2 The normal minimum consultation period for a change to a RGS shall be 28 calendar days, although this may be varied by the Lead Standards Committee to suit the circumstances related to a particular RGS.

6.5 Process for full consultation with industry

6.5.1 For each proposed change to a RGS the parties listed below shall be consulted:
   
   a) All transport operators who must currently comply, or may reasonably be expected to have to comply in future, with that RGS.
   
   b) Those parties, having a representative on a Standards Committee, who have indicated a preference for being notified of proposed changes to the RGS in question.
   
   c) Any representative associations whose members might (in the relevant Standards Committee’s reasonable opinion) be directly affected by the proposed change.
   
   d) Any other parties, including trades unions and passenger groups, whom a Standards Committee reasonably considers, in relation to the particular RGS, will assist them in assessing the matters listed in 5.2.

6.5.2 Those parties who fall into paragraphs 6.5.1 a) to d) above shall be advised of the existence of the relevant consultation information on a website.

6.5.3 A facility shall be provided for any other party that wishes to comment to do so through the website.

12.6.3 Where consultation is to be carried out in accordance with 6.5 of the Code, the following consultation information shall be published:

   a) The draft RGS
   
   b) An assessment of the expected impacts arising from the proposed changes to the requirements.

12.7 Consultation comments

6.5.4 Once the consultation is complete, the relevant Standards Committees shall:

   a) Consider fully and fairly all comments received, taking account of the material interests of the party commenting, and
12.7.1 RSSB shall provide the Lead Standards Committee and any Support Standards Committees with the consultation comments received, together with a proposed response to each comment.

12.7.2 RSSB is not obliged to provide to Standards Committees any comments on the consultation documents that are received after the date on which the relevant consultation period ends.

12.7.3 If the Lead Standards Committee believes that a significant change to the draft RGS, as consulted on, is required:
   a) The consultation shall be repeated, and
   b) The Lead Standards Committee shall determine the amount of the RGS that should be subject to re-consultation.

6.5.5 The relevant Standards Committee shall approve the consultation comments and associated responses which shall be published and sent to those parties who commented on the proposed change.

12.7.4 Once the Lead Standards Committee has approved the consultation comments and associated responses referred to in 12.7.1, RSSB shall distribute them in accordance with 6.5.5 of the Code:
   a) Allowing at least 10 working days before the draft RGS is submitted to the Lead Standards Committee for approval, and
   b) Including information on when the Lead Standards Committee is due to consider the approval of the draft new, revised or withdrawn RGS.

12.7.5 A Standards Committee may also decide that comments and associated responses shall be sent to interested parties whom they believe to have a material interest in any such response.

12.7.6 Where 12.9.3 applies, the Standards Committee shall put in place arrangements to deal with any comments submitted under 12.7.4.

12.7.7 At any time before the Lead Standards Committee meets to consider the approval of the new, revised or withdrawn RGS, it is permissible for any affected person to submit further comments related to the way in which their consultation comments have been addressed:
   a) Via the member of the Lead Standards Committee who represents them, or
   b) If there is no such Standards Committee member, via RSSB who shall pass the comments to the Lead Standards Committee Chairman.
6.6 Consultation with Standards Committees

6.6.1 Where a change to a RGS is expected to have a limited impact, the relevant Standards Committee may decide that consultation can be undertaken by Standards Committee members within the Committee meeting.

12.8 Publication of consultation information

12.8.1 Where consultation was carried out in accordance with 6.6 of the Code, the following consultation information shall be published:

a) The draft RGS
b) An assessment of the expected impacts arising from the proposed changes to the requirements
c) The fact that consultation has been undertaken by Standards Committee members within the Committee meeting
d) The date on which the RGS is expected to be, or has been, approved by the Lead Standards Committee, and
e) The mechanism by which any comment on the proposed change should be submitted to RSSB.

12.8.2 The information published in accordance with 12.8.1 shall be made available for at least 10 working days after consultation and prior to publication of the RGS.

12.8.3 The Lead Standard Committee shall make arrangements to deal with any comment submitted under 12.8.1e).

6.7 Approval and authorisation

6.7.1 All new, revised or withdrawn requirements in a RGS shall require the approval of the relevant Standards Committee.

6.7.2 After approval and prior to authorisation, it is permissible for:

a) Typographical errors in the RGS to be corrected, or
b) The text of the RGS to be amended where that would bring clarity,

provided the correction or amendment does not change the approved meaning of any requirement.

6.7.3 Following Standards Committee approval, RSSB shall authorise a change to requirements in a RGS, provided, in the opinion of RSSB, the procedure set out in the Code and Standards Manual has been followed and the decision taking principles set out in 5.2 have been applied correctly.
6.7.4 Where RSSB withholds authorisation of a change to requirements in a RGS it shall provide reasons to the Standards Committee. The Standards Committee may reconsider the RGS, taking into account RSSB’s reasons for withholding authorisation, and re-submit the RGS to RSSB for further consideration.

12.9 Approval and authorisation

12.9.1 In respect of every new, revised or withdrawn RGS, RSSB shall submit to the Lead Standards Committee and any Support Standards Committees:
   a) The final draft of the RGS (if applicable), and
   b) A proposed response to any further comments related to the way in which consultation comments have been addressed, received under 12.7.7 or 12.8.1e).

12.9.2 The Lead Standards Committee shall either:
   a) Approve the new or revised RGS without modification, or approve the withdrawal of the RGS, or
   b) Approve the new or revised RGS with specified modifications, having considered the impact of any such modification, or
   c) Reject the proposed change (and shall give reasons for the rejection).

12.9.3 Where it is appropriate to do so, the Lead Standards Committee may approve the response to the consultation document, in accordance with 6.5.5 of the Code, and the change to the RGS in accordance with 6.7.1 of the Code, simultaneously.

12.9.4 When a Lead Standards Committee approves a new or revised RGS or the withdrawal of an existing RGS for authorisation by RSSB, the Standards Committee Chairman shall sign a certificate (in a form determined and provided by RSSB), signifying the approval of the committee to the content of the RGS as being suitable for authorisation or withdrawal.

12.9.5 Prior to authorisation, RSSB shall check the following:
   a) The decision taking principles as set out in the Code at 5.2 have been applied correctly as far as can be reasonably determined by the person making the authorisation.
   b) The relevant Support Standards Committees have been involved to the extent that they wished to be so.
   c) Consultation has been carried out as decided by the Lead Standards Committee in accordance with either 6.5 or 6.6 of the Code.
   d) Approved responses to consultation comments have been published in accordance with 12.7.4 or consultation information has been published in accordance with 12.8.1 and 12.8.2.
   e) The Lead Standards Committee Chairman has signed the certificate signifying approval as required by 12.9.4.
6.8 Publication of RGSs

6.8.1 On authorisation of new, revised or withdrawn requirements in a RGS:
   a) The relevant RGS shall be published or withdrawn as required, and
   b) The following parties shall be informed, specifying when the change will become effective:
      i) Relevant Standards Committees
      ii) All parties who must currently comply, or may reasonably be expected to have to comply in future, with the RGS, and
      iii) Any other parties who do not fall into paragraphs i) and ii) above but who have indicated a preference for being notified of changes to the RGS in question.

12.10 Publication

12.10.1 Where RSSB authorises a new, revised or withdrawn requirement in a NOP, RSSB may decide to publish the change in a RGS that amends the NOP to which the change relates, rather than in the NOP itself.

12.10.2 RGSs shall be published to coincide with the update to the standards catalogue required by 15.1.3.

12.10.3 In exceptional circumstances it is permissible for the Lead Standards Committee to decide that an RGS is to be published as soon as possible following approval.

12.11 Consultation register

12.11.1 RSSB shall establish, maintain and publish a register for the purpose of consultation in relation to RGSs.

12.11.2 The register shall include details of rail industry stakeholders and those RGSs where they wish to be notified of proposed changes.

12.11.3 Stakeholders shall inform RSSB if they wish to be added to or removed from the register.

12.11.4 If RSSB wishes to amend the status of a stakeholder in terms of their interest in a particular RGS, or to remove any person from the register, RSSB shall first obtain consent from the stakeholder.

12.11.5 The register shall be updated at least once every three months.

13 Miscellaneous requirements related to RGSs

6.9 Reviewing the effectiveness of RGSs

6.9.1 All RGSs shall be subject to a periodic review to determine their ongoing fitness for purpose.
6.9.2 If, in the opinion of ISCC or a Standards Committee, a requirement in a RGS has ceased to be fit for purpose, a proposal for change to the RGS shall be submitted in accordance with 6.1.2.

6.9.3 The frequency and procedure for the review of RGSs shall be defined in the Standards Manual.

13.1 Review and monitoring of the effectiveness of Railway Group Standards

13.1.1 ISCC shall monitor the fitness for purpose of all RGSs, taking account of advice from Standards Committees.

13.1.2 Standards Committees shall support ISCC in delivering 13.1.1 by:
   a) Reviewing the:
      i) Sufficiency of RGSs, and
      ii) Interaction between individual RGSs.
   b) Reviewing all RGSs within 12 months of their earliest compliance date and at least once every five years thereafter, and
   c) Reviewing particular RGSs more frequently where it is necessary or expedient to do so.

13.2 Review of deviations

13.2.1 RSSB shall review each relevant deviation when a RGS is being reviewed, to determine whether the RGS may be revised to eliminate the need for a deviation of a similar nature in the future.

13.3 Proposals for the closing out of open points not addressed by RGSs – Standards Committee observations and comment to project entities

13.3.1 A project entity undertaking work on the mainline railway may submit its proposals for the closing out of open points in a published TSI not addressed by RGSs to the relevant Standards Committees for general observations and comment.

13.3.2 A project entity seeking general observations and comment on its proposals shall submit each of the following to RSSB:
   a) The project specific technical rules intended for use in closing out each open point, and
   b) The form published on RSSB’s website for the purposes of project entities wishing to submit their proposals to RSSB pursuant to 13.3.1, completed and executed for and on behalf of the project entity.

13.3.3 Following receipt of the documents to be supplied pursuant to 13.3.2, RSSB shall pass them to the relevant Standards Committees.

13.3.4 The relevant Standards Committees may provide observations and comment relating to:
   a) The technical aspects of the proposed project specific technical rules
b) Where identified, areas where the project entity’s proposed approach may bring it into conflict with existing industry standards, and

c) Whether the proposed technical rules may be appropriate as the basis for new requirements in a RGS.

13.3.5 The Chairman of the Lead Standards Committee, or RSSB on his behalf, shall write to the project entity to provide a written record of the Committees’ observations and comment regarding the intended approach.

13.3.6 Where a project entity decides to change the technical rules for their project in response to observation and comment from a Standards Committee, the project entity may re-submit the technical rules to the Standards Committee for further observation and comment, should it wish to do so.

14 Changes to documents other than RGSs

14.1 Application of the procedure for change to documents other than RGSs

14.1.1 The procedure for change to a RGS also applies to any work undertaken by RSSB, ISCC or Standards Committees in relation to the documents listed in this chapter (chapter 14), except where an alternative requirement is described below.

14.1.2 Where a review of a document listed in this chapter is required by 13.1.2b), the review shall be carried out within 12 months of the publication of the document and at least once every five years thereafter.

14.2 Rail Industry Standard (RIS)

14.2.1 A requirement is within the scope of RISs only if:

a) It is railway specific, and

b) It is applicable to part of a subsystem, or

c) It is applicable to a process prescribing how an individual subsystem should be operated or managed.

14.2.2 The Lead Standards Committee, shall determine whether to proceed with a proposal relating to a RIS on the basis of:

a) Whether the proposal is in scope, as defined in 14.2.1

b) Whether there are expected to be benefits to a group of RSSB’s members from having a common standard, and

c) How the proposal relates to the decision taking principles defined in the Code at 5.2 and in the Standards Manual at 11.2.

14.2.3 A proposed change to a RIS shall be accompanied by an assessment of the predicted impacts arising from the adoption of the RIS.

14.3 Rail Industry Guidance Note (GN)

14.3.1 A GN shall only contain guidance that is railway specific.
14.3.2 The Lead Standards Committee, taking account of the views of any Support Standards Committees, shall determine whether to proceed with a proposal relating to a GN on the basis of:

a) Whether guidance in relation to the particular issue would be of benefit to members of RSSB, and

b) How it relates to the decision taking principles defined in the Code at 5.2 and in the Standards Manual at 11.2.

14.3.3 Section 11.4 of the Standards Manual does not apply to GNs.

15 Standards catalogue

15.1 The standards catalogue

15.1.1 RSSB shall establish, maintain and publish a standards catalogue.

15.1.2 The standards catalogue shall, as a minimum, list:

a) The number, title and synopsis of each RGS, RIS and GN

b) The Standards Committee designated as the Lead Standards Committee for each document.

15.1.3 RSSB shall update the standards catalogue every three months.

6.10 Availability of withdrawn documents

6.10.1 A collection of the following documents shall be maintained and published:

a) RGSs withdrawn in accordance with the procedures set out in this or earlier issues of the Code.

b) Such equivalent predecessor documents published by the British Railways Board, Railtrack PLC, Railway Safety or RSSB as are available.

15.1.4 The standards catalogue shall list the documents within the collection of documents required by section 6.10 of the Code.

15.2 Amendments and clarifications

15.2.1 Subject to the approval of the Chairman of the relevant Lead Standards Committee, RSSB may publish an amendment or clarification to a RGS, RIS or GN in the standards catalogue.

15.2.2 An amendment published in the standards catalogue shall:

a) Not alter the approved meaning of the relevant technical requirement (for example, an amendment may correct a typographical error or a reference to another document where that other document has been re-issued), and

b) Normally be used where the promulgation costs are expected to exceed the benefits from the amendment, hence re-issuing the document is not supported.
15.2.3 A clarification published in the standards catalogue shall not alter the text of the relevant requirement.

16 Deviations from RGSs

7 DEVIATIONS FROM RGSs

7.1 Deviation applications

7.1.1 An application for a deviation from a RGS may be made by:
   a) Any party who must currently comply, or may reasonably be expected to have to comply in future, with the RGS, or
   b) A third party acting on behalf of, and with the support of, any party who must currently comply, or may reasonably be expected to have to comply in future, with the RGS.

7.1.2 Regardless of which party submitted the application, a deviation from a RGS shall be granted only to one or more specified parties who must currently comply, or may reasonably be expected to have to comply in future, with the RGS.

7.1.3 The method of submitting applications for a deviation shall be set out in the Standards Manual.

7.1.4 All applications to deviate from a requirement in a RGS shall:
   a) Clearly state the alternative provisions that will apply in place of the relevant requirement.
   b) Clearly state the scope of the deviation application.
   c) Clearly state any limitations on its duration.
   d) Demonstrate why it is not reasonable, in the particular circumstances, to comply with the existing requirement in the relevant RGS on either a temporary or a permanent basis.
   e) Demonstrate why the proposed alternative provisions are reasonable, including a suitable and sufficient supporting analysis.
   f) Include the results of any consultation that has been undertaken with affected parties.

16.1 Deviation applications

16.1.1 RSSB shall publish a deviation application form.

16.1.2 All deviation applications shall:
   a) Be submitted on the deviation application form
   b) Contain sufficient information on the issues listed in 7.1.4 of the Code to enable the Lead Standards Committee to take a decision regarding the approval of that deviation, and
c) Be supported by the individual who has professional responsibility for the subject area concerned within the organisation who must comply with the RGS and who has authority to make commitments on behalf of that organisation in respect of issues related to that RGS.

16.1.3 Where an application for a deviation is submitted in accordance with 7.1.1b of the Code, the application shall state the party to whom the deviation is to be granted under 7.1.2 of the Code.

16.1.4 Deviation applications submitted on or before the cut-off date for a Standards Committee meeting (published in accordance with 10.4.5) will normally be considered at that meeting.

<table>
<thead>
<tr>
<th>7.2</th>
<th>Consideration of deviation applications by Standards Committees</th>
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</thead>
<tbody>
<tr>
<td>7.2.1 The relevant Standards Committees, or their Chairmen in accordance with 7.4.2, shall review each deviation application (except for any which are trivial or vexatious) and consider whether it is sufficiently complete, based on the factors listed in 7.1.4.</td>
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<tr>
<td>7.2.2 If, in the opinion of a Standards Committee or its Chairman the deviation application is not sufficiently complete, the Standards Committee or its Chairman shall determine what additional information is required from the applicant to allow the relevant committee or chairman to determine whether to approve the deviation.</td>
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<tr>
<td>7.2.3 If the deviation application is sufficiently complete, the relevant Standards Committee or Chairman shall determine whether to approve the deviation.</td>
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<tr>
<td>7.2.4 If, when considering a deviation application, the relevant Standards Committees or their Chairmen determine that there are reasonable grounds for revising the relevant RGS, a proposal for change to the RGS shall be submitted in accordance with 6.1.2.</td>
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16.2 Consideration of deviation applications by Standards Committees

16.2.1 RSSB shall request further information from the party submitting a deviation application:

a) Prior to that deviation application being considered by a Standards Committee, where RSSB does not consider that the application is sufficiently complete to enable the Lead Standards Committee to take a decision in relation to that deviation, or

b) Following a request from a Standards Committee for further information.

16.2.2 The party submitting the deviation application shall provide any such further information as is reasonably requested by RSSB in accordance with 16.2.1.
16.2.3 The Chairman of the Lead Standards Committee for the RGS containing the requirement against which the deviation is sought shall decide which Standards Committee is the Lead Standards Committee in relation to that requirement.

16.2.4 For each deviation application, the Chairmen of any Support Standards Committees for the RGS concerned shall decide whether that application should be considered by their committee, based on:
   a) The relevance of the deviation to that committee, and
   b) Consultation with the Chairman of the Lead Standards Committee for the requirement against which the deviation is sought.

16.2.5 Where a Support Standards Committee is to consider a deviation application, the Chairman of that committee shall inform the Chairman of the Lead Standards Committee for the relevant requirement of:
   a) The date on which the application is to be considered, and
   b) The opinion of the Support Standards Committee after it has considered the application.

16.2.6 Except where 7.4.2 of the Code applies, RSSB shall submit the following documents to the Lead and any Support Standards Committees:
   a) The deviation application
   b) Any responses received from stakeholders during consultation on the deviation, and
   c) Any supporting documents.

16.2.7 Unless advised otherwise by the Chairman of the relevant Standards Committees, the individual who signed the deviation application, or their representative, shall present their case for the deviation to that committee.

7.3 Consultation on deviation applications

7.3.1 The applicant for a deviation shall:
   a) Consult all industry parties who are likely to be materially affected by the proposed deviation, and
   b) Present the results of that consultation to the relevant Standards Committees.

16.2.8 The applicant for a deviation shall have completed consultation prior to submitting the deviation application if possible, and in all cases prior to the first occasion on which their deviation is considered by the relevant Standards Committees.

7.3.2 If the relevant Standards Committee, or its Chairman in accordance with 7.4.2, determines that further consultation on the deviation is required, it (or he) shall determine:
   a) The parties who are to be consulted
   b) Who is to undertake the consultation
c) The manner in which consultation is to be undertaken, and
d) The time allowed for responses to the consultation.

16.2.9 Having determined that further consultation on the deviation is required, the Lead Standards Committee shall consider whether adequate and more timely consultation could be undertaken by the Standards Committee members rather than by requiring the applicant to contact the relevant parties.

7.4 Approval and authorisation

7.4.1 Except as provided in 7.4.2 all proposed deviations from a RGS shall require the approval of the relevant Standards Committee.

7.4.2 A deviation application may be approved by a Standards Committee Chairman outside of a committee meeting:
a) If that Standards Committee has agreed that this may occur, and
b) Only in those circumstances prescribed by that Standards Committee.

7.4.3 If the proposed deviation is not approved, the applicant shall be informed of the decision and the reasons for it.

16.3 Approval and authorisation

16.3.1 The Lead Standards Committee or, in accordance with 7.4.2 of the Code, the Chairman of that committee shall either:
a) Approve the deviation application without modification,
b) Approve the deviation application with specified modifications (and shall give reasons for the modifications), or
c) Reject the deviation application (and shall give reasons for the rejection).

16.3.2 Where the decision to approve a deviation is made by the Chairman of the Lead Standards Committee in accordance with 7.4.2 of the Code, the Chairman shall report it to the Lead Standards Committee at their next meeting.

16.3.3 The Chairman of the Lead Standards Committee may decline to take a decision regarding an application for a deviation on the grounds that he:
a) Lacks the necessary technical expertise
b) Has a direct or indirect personal or corporate interest in the matter concerned, or
c) Believes it should be taken by the Lead Standards Committee.

16.3.4 In such circumstances, the application for a deviation shall be considered at the next meeting of the Lead Standards Committee.
16.3.5 Where the Lead Standards Committee approves a deviation in accordance with 16.3.1 or where the Chairman of the Lead Standards Committee approves a deviation in accordance with 7.4.2 of the Code, the Chairman of the Lead Standards Committee shall sign a deviation approval form (provided by RSSB), signifying the committee or the Chairman's approval of the deviation.

7.4.4 After approval and prior to authorisation, it is permissible for:
   a) Typographical errors in a deviation to be corrected, or
   b) The text of the deviation to be amended where that would bring clarity to the deviation providing the correction or amendment does not change the meaning of the approved deviation.

7.4.5 Following approval by the relevant Standards Committee, or its Chairman in accordance with 7.4.2, RSSB shall authorise a proposed deviation from a RGS provided, in the opinion of RSSB, the procedure set out in the Code and Standards Manual has been followed and the decision taking principles set out in 5.2 have been applied correctly.

7.4.6 Where RSSB withholds authorisation of a deviation it shall provide reasons to the relevant Standards Committee or its Chairman if approved under 7.4.2. The Standards Committee or its Chairman may reconsider the deviation, taking into account RSSB’s reasons for withholding authorisation, and re-submit the deviation to RSSB for further consideration.

16.3.6 Prior to authorisation, RSSB shall check that the following procedures have been completed:
   a) Adequate consultation with parties likely to be materially affected has been carried out
   b) The decision taking principles as set out in the Code at 5.2 have been applied correctly as far as can be reasonably determined by the person making the authorisation
   c) Relevant Support Standards Committees have been consulted
   d) The deviation approval form has been completed in accordance with 16.3.5
   e) The information on the deviation certificate is complete and, where relevant, reflects the decisions recorded in the minutes of the Lead Standards Committee meeting, and
   f) Only those changes permitted under the Code at 7.5.4 have been made to the certificate.

7.5 Publication

7.5.1 On authorisation:
16.3.7 Once RSSB has authorised a deviation in accordance with the Code, \textit{7.4.5}, it shall issue a deviation certificate.

16.3.8 The deviation takes effect from the date stated on the certificate.

16.4 \textbf{Renewal of deviations with a specified duration}

16.4.1 The holder of a deviation with a specified duration may submit an application for a new deviation to take effect on the expiry of the existing certificate.

16.5 \textbf{Register of deviations}

16.5.1 RSSB shall establish, maintain and publish a register of deviations.

16.5.2 The register shall list the deviations in sufficient detail, setting out at the least the following:

\begin{enumerate}
  \item The company/companies to which the deviation applies
  \item The clauses of the RGS to which the deviation relates
  \item The reasons for the deviation application
  \item The alternative requirements that have been approved in the deviation, and
  \item Any limitations on the scope and duration of the deviation.
\end{enumerate}

16.5.3 RSSB shall update the register at least once every three months.

17 \textbf{Application of the deviations procedures to documents other than RGSs}

17.1 There shall not be an RSSB-managed process for deviations from a RIS or a GN.

18 \textbf{RSSB support for other industry documents}

18.1 \textbf{Seeking RSSB support}

18.1.1 Any organisation or committee may approach RSSB for support with the development and/or publication of documents produced by that body.

18.2 \textbf{Suitability of the body requesting support}

18.2.1 The purpose and governance arrangements of the body requesting support under 18.1.1 shall be acceptable to ISCC in order for any RSSB support to be made available.

18.2.2 In determining whether the organisation or committee is acceptable under 18.2 ISCC shall consider whether that body:
a) Has a purpose that is railway specific
b) Has objectives consistent with RSSB’s primary purpose
c) Allows for representation from all of the groups affected by the output from the body
d) Enables members to have the means to consult with and obtain a mandate from their respective constituencies, where members of the body represent a constituency within the railway industry
e) Provides a process for consultation with affected parties in relation to the output from the body, including responding to comments raised during such consultation
f) Makes all decisions by a mechanism that is transparent to the membership of that body, and
g) Provides a change control process for amending or updating the documents produced under these arrangements.

18.3 **Nature of the support provided by RSSB**

18.3.1 The nature of the support provided by RSSB, including arrangements for publication, shall be set out in a memorandum of understanding between the body and RSSB.

18.3.2 Prior to any support being provided by RSSB, the memorandum of understanding shall require approval by:
   a) ISCC, based on a recommendation from RSSB, and
   b) RSSB Board, based on a recommendation from ISCC.

19 **Intervention and appeals**

8 INTERVENTION AND APPEALS

8.1 **Board intervention**

8.1.2 An intervention procedure shall be approved by the Board and published.

8.1.3 The intervention procedure shall include the requirement to publish reasons for action where that action relates to a RGS or a deviation and:
   a) The Board decides to take action itself, or
   b) The Board directs another committee or body to take action.

8.1.1 The Board shall apply the intervention procedure if:
   a) The Board, following consultation with ISCC, considers a Standards Committee is failing in a material way to apply the requirements of the Code or Standards Manual (for example, without limitation, by failing to apply the decision taking principles set out in 5.2 correctly, causing undue delay or failing to act), or
b) The Chairman of a committee has elevated a decision to the Board because, in the opinion of the chairman, the committee is unable to achieve consensus and undue delay would be caused as a result.

19.1 Board intervention

19.1.1 The Standards Manual contains no requirements or guidance in relation to section 8.1 of the Code about Board intervention.

8.2 Appeals to the Board

8.2.1 An appeals procedure shall be approved by the Board and published.

8.2.2 The appeal procedure shall include:
   a) Timescales for:
      i) The submission of appeals
      ii) Withdrawal of appeals by the applicant
      iii) The preparation of the appeal for the appeal hearing
      iv) The appeal hearing, and
      v) Notification of appeal hearing decisions.
   b) The role of RSSB in submitting appeals to the Board
   c) The declaration of interests by Board members at the appeal hearing
   d) Legal representation at appeal hearings
   e) Confidentiality requirements.

8.2.3 An appeal to the Board may be made by any interested party aggrieved in any material respect by any:
   a) Decision of ISCC, Standards Committees or RSSB
   b) Delay or failure to act under the Code or Standards Manual by ISCC, Standards Committees or RSSB.

8.2.4 An appeal to the Board shall be lodged in writing, preferably in an electronic form.

8.2.5 Once the Board has taken a decision on an appeal, a written statement shall be prepared setting out the decision and the reasons for it.

8.2.6 The written statement shall be published and sent to:
   a) The party who lodged the appeal, and
   b) Any other party who was (or had a right to be) consulted on the matter to which the appeal related.
19.2 Appeals to the Board

19.2.1 The Standards Manual contains no requirements or guidance in relation to section 8.2 of the Code about appeals to the Board.

8.3 Appeals to the ORR

8.3.1 A party who submitted an appeal to the Board may subsequently appeal to the ORR against a decision of the Board in respect of that appeal.

8.3.2 The ORR may adopt such procedures as it thinks fit in considering such appeals.

8.3.3 Any determination of the ORR in respect of an appeal shall be binding on all affected parties (including those parties with responsibilities for the management of RGSs).

19.3 Appeals to the ORR

19.3.1 The Standards Manual contains no requirements or guidance in relation to section 8.3 of the Code about appeals to the ORR.

20 Administration of the Code and Standards Manual

9 ADMINISTRATION OF THE CODE AND STANDARDS MANUAL

9.1 Code implementation and transition arrangements

9.1.1 Issue Four of the Code replaces Issue Three in its entirety and is effective from XX April 2013.

9.1.2 ISCC may direct that Issue Three of the Code (or any part thereof) shall continue to apply to any decision regarding a RGS or deviation which is in the course of being processed at the time Issue Four becomes effective.

9.1.3 All existing members of committees at the time Issue Four becomes effective shall automatically be deemed members of the relevant committee from the time Issue Four becomes effective.

9.1.4 The process for holding elections or re-nomination of members of the committees shall continue to the timescales which applied prior to Issue Four becoming effective.

9.1.5 All RGSs and deviations which are in force at the time Issue Four becomes effective continue to remain in force unless and until amended in accordance with Issue Four.

9.1.6 Except as provided in 9.1.2, all RGSs and deviations authorised on or after the date on which Issue Four becomes effective shall be authorised by the procedures described in this Code and Issue Three of the Standards Manual.
9.1.7 Any reference in the Code to another document including, without limitation, any directive, statute or related subordinate instrument, regulation or measure, shall include any subsequent amendment to or replacement of that document.

20.1 Standards Manual implementation and transition arrangements

20.1.1 Subject to 20.1.2, Issue Three of the Standards Manual supports Issue Four of the Code and is effective from **xx April 2013**.

20.1.2 ISCC may direct that Issue Two of the Manual (or any part thereof) shall continue to apply to any decision regarding a RGS or deviation which is in the course of being processed at the time Issue Three of the Standards Manual becomes effective.

20.1.3 Any reference in the Standards Manual to another document including, without limitation, any directive, statute or related subordinate instrument, regulation or measure, shall include any subsequent amendment to or replacement of that document.

9.2 Proposals to amend the Code

9.2.1 A proposal to amend the Code may be made by:

a) Any party who must currently comply, or may reasonably be expected to have to comply in future, with RGSs

b) A third party acting on behalf of and with the support of any party who must currently comply, or may reasonably be expected to have to comply in future, with RGSs

c) A Standards Committee

d) ISCC

e) The ORR

f) The DfT

g) RSSB.

9.2.4 Any party making a proposal to amend the Code shall explain how it improves the fitness of the Code for the purpose defined in **1.2.1 and 1.2.2**.

9.2.5 Each such proposal shall be submitted to ISCC for consideration.

9.3 Consideration of proposals to amend the Code by ISCC and the Board

9.3.1 ISCC shall consider each such proposal and make a recommendation to the Board for whether the proposal should proceed, with or without amendment, or be rejected.

9.3.2 All such proposals and the associated ISCC recommendation shall be copied to the ORR.

9.3.3 If the Board rejects any such proposal, it shall give reasons to the proposer and the ORR for the rejection.
9.4   Consultation on proposed change to the Code

9.4.1 Where the Board supports a proposal for change, relevant parties shall be consulted on the proposed change, including:
   a) Parties who must currently comply, or may reasonably be expected to have to comply in future, with RGSs
   b) The ORR, and
   c) Such other parties as may reasonably be considered to be appropriate in order to assess the suitability of the Code as fit for the purpose set out in 1.2.1 and 1.2.2.

9.4.2 At least 20 working days shall be allowed for comments.

9.4.3 Once the consultation is complete, ISCC shall:
   a) Consider fully and fairly all comments received, taking account of the material interests and experience of the party commenting, and
   b) Determine if and how the proposed change should proceed.

9.4.4 Once ISCC has approved the comments and associated responses, they shall be published and sent to those parties who commented on the proposed change.

9.4.5 If ISCC decides, in the light of the response to the consultation, that amendment to the proposal for change is warranted, the response document shall set out that amendment.

9.5 Approval of the revised Code

9.5.1 Once the response document referred to in 9.4.4a) has been sent, approval of the revised Code shall be sought from the Board.

9.5.2 If that approval is given, the ORR shall be sent:
   a) The revised Code
   b) A list of the changes
   c) The reasons for the changes, including why the changes improve the fitness of the Code for the purpose in 1.2.1 and 1.2.2, and
   d) A proposed period of time after the ORR approval in which the Code will come into force.

9.5.3 Within one month after the receipt of those documents, the ORR may either:
   a) Approve the revised Code, without amendment
   b) If it is considered that the changes are not consistent with the purpose of the Code in 1.2.1 and 1.2.2, approve the revised Code subject to amendments specified by the ORR (after further consultation with the parties identified in 9.4.1), or
c) Reject the revised Code.

9.5.4 If the ORR approves the revised Code, with or without amendment, the ORR shall agree the date on which the revised Code will come into force.

9.6 Publication of the revised Code

9.6.1 Once the ORR has approved the Code, it shall be published.

9.6.2 Such publication shall be in satisfaction of any obligations to provide a copy of the Code to relevant parties, including the DfT and the ORR.

9.7 Production and maintenance of the Standards Manual

9.7.1 RSSB shall produce and maintain a Standards Manual which describes how the requirements of the Code are to be delivered.

9.7.2 The Standards Manual shall be produced and subsequently amended using the procedure defined in chapter 6, with ISCC acting in the role defined for the Standards Committee.

9.7.3 ORR approval shall not be required in respect of amendments to the Standards Manual.

9.7.4 In the event of any conflict between the Code and the Standards Manual, the Code shall take precedence.

9.8 Compliance with the Standards Manual

9.8.1 The Standards Manual shall be complied with by those with relevant responsibilities for meeting the requirements set out in the Code.

20.2 References in the Standards Manual

20.2.1 Any reference to another document in the Standards Manual shall include any subsequent amendment to that document.

21 Publication

10 PUBLICATION

10.1 Publication

10.1.1 Where the Code refers to a document being published, the document shall be published on the World Wide Web in a position and with links which enable visitors to that site to locate it quickly and without difficulty.

10.1.2 Paper copies of the Code, the Standards Manual and RGSs shall be obtainable (at a charge no greater than the ORR considers reasonable).
21.1 Publication

21.1.1 Where the Standards Manual refers to a document being published, it shall be published in accordance with 10.1.1 of the Code.

21.1.2 RSSB shall publish information on the means of obtaining paper copies of the Code, the Standards Manual, RGSs and the documents listed in chapter 14.

22 Costs

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<th>10.2</th>
<th>Costs</th>
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<tr>
<td>10.2.1</td>
<td>Each party involved in the procedures described in this Code and the Standards Manual shall pay their own costs and expenses in relation to it.</td>
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22.1 The Standards Manual contains no requirements or guidance in relation to section 10.2 of the Code about costs.
Appendix A  Chairmen and membership of ISCC and Standards Committees

A1  Industry Standards Co-ordination Committee Chairman

A1.1 No part of Appendix A, section A1, shall be amended without the consent of the Board.

A1.2 The Board shall appoint a person to act as the ISCC Chairman, taking account of the advice of ISCC.

A1.3 Such a person shall automatically become a member of ISCC on their appointment as Chairman.

A1.4 Nominees for the appointment:
   a) Must have appropriate professional expertise and wide experience of the railway industry
   b) Must not represent any particular sector of the industry in their role as ISCC Chairman, and
   c) Need not necessarily be an existing ISCC member.

A1.5 If the ISCC Chairman is selected from one of the industry category representative members of ISCC, the industry category concerned shall be entitled to appoint a new ISCC member on the nominee being appointed as the Chairman of ISCC.

A1.6 Subject to Appendix A, paragraph A1.7, the ISCC Chairman shall occupy the post for a three year term. At the end of the term the ISCC Chairman shall automatically retire. He may offer himself for re-nomination.

A1.7 The ISCC Chairman shall be required to relinquish his appointment if:
   a) A simple majority of the members of ISCC so resolve, and the Board resolves that it agrees with that resolution, or
   b) The Board resolves to terminate the appointment.

A1.8 If the ISCC Chairman is removed from the appointment, the Board shall appoint an ISCC Chairman in accordance with the preceding provisions of this Appendix A, section A1.

A2  Membership of Standards Committees

A2.1 Subject to 4.4.1 of the Code, the membership of each Standards Committee shall be appropriate to the technical areas on which it is required to take decisions.

A2.2 Subject to Appendix A, paragraphs A2.3 and A2.4 and following consultation with any relevant Standards Committee via its Chairman, RSSB shall recommend to ISCC for approval:
   a) The number of persons who will be elected as members of each Standards Committee, and
b) Which industry categories such persons will represent (if it is appropriate, an industry category may be represented by more than one person on that Standards Committee).

A2.3 If there is no relevant Standards Committee Chairman, for example when an entirely new Standards Committee is being formed, RSSB shall consult directly with ISCC in recommending the composition of that Standards Committee.

A2.4 RSSB shall appoint an appropriate member of RSSB personnel to serve as a member of each Standards Committee.

A2.5 Each Standards Committee shall:
   a) Review the scope of technical expertise of its elected members and identify any additional expertise which is needed, taking into account the technical areas on which it is required to take decisions, and
   b) Seek to obtain this additional expertise, when required, through co-opted members, observers or guests.

A2.6 Where a Standards Committee considers it necessary or expedient, it may recommend to ISCC that the elected membership of that committee should be altered so as to enable that committee to be as representative as possible of the views and expertise of the relevant parts of the railway industry.

A3 Standards Committee Chairmen

A3.1 Except as provided in Appendix A, paragraph A3.2, the Chairman of each Standards Committee shall be elected by the Standards Committee members from amongst their number.

A3.2 If the Standards Committee and ISCC so agree, a Standards Committee Chairman may be appointed from outside the Standards Committee and without an election. Such a person shall automatically become a Standards Committee member on his appointment as Standards Committee Chairman.

A3.3 When elections are to be held for the Chairman of a Standards Committee, RSSB shall arrange for the election of a Standards Committee Chairman, as follows:
   a) RSSB shall request nominations from the Standards Committee members (the RSSB Standards Committee member is eligible for nomination and may make nominations).
   b) Nominations shall only be accepted if the nominee consents.
   c) If there is more than one nomination RSSB shall hold an election by secret ballot to select the Standards Committee Chairman.
   d) For any ballot, the industry categories entitled to be represented on the Board shall be entitled to exercise in aggregate the following percentages of the total voting rights:
      i) Railway undertakings (passenger): 30 per cent
ii) Railway undertakings (non-passenger): 10 per cent  
iii) Network Rail and other infrastructure managers: 30 per cent  
iv) Rolling stock owners (including rolling stock leasing companies): 10 per cent  
v) Infrastructure contractors: 10 per cent  
vi) Suppliers (including rolling stock manufacturers): 10 per cent.

e) Where there is more than one representative within an industry category, the aggregate percentage of the voting rights for that industry category is to be divided equally between those representatives of that industry category present and entitled to vote.

f) The elected Chairman of a Standards Committee must not represent any particular sector of the industry in his role as Chairman.

g) If an elected Chairman of a Standards Committee was one of the industry category committee members, the industry category concerned shall be entitled to elect a new committee member on the nominee’s appointment as Chairman.

h) Subject to Appendix A, paragraph A3.4, a Standards Committee Chairman shall be elected for a three year term. At the end of the term the Standards Committee Chairman shall automatically retire. He may offer himself for re-election.

A3.4 A Standards Committee Chairman shall be removed from office provided both:  
a) At least 65 per cent, in accordance with the voting rights defined in Appendix A, paragraph A3.3d), of the members of Standards Committee concerned so resolve, and  
b) ISCC resolves that it agrees with that resolution.

A3.5 If a Standards Committee Chairman is removed from office, an election shall then be held for a Standards Committee Chairman in accordance with the preceding provisions of Appendix A, paragraphs A3.1 and A3.3, in which the former Standards Committee Chairman may stand if he wishes, or a Chairman may be appointed under paragraph A3.2.

A4 Alternate members

A4.1 Any committee member (other than an alternate or a co-opted member) may:  
a) Appoint any other suitable person (including an existing member of that committee) to be their alternate member, and  
b) May change their appointment of an alternate member at any time.

A4.2 An alternate member shall be entitled:  
a) To receive notice of all committee and sub-committee meetings of which the person who appointed them is a member.
b) To attend any such meeting at which the member appointing them is not present, and

c) Generally to perform all the functions of the person who appointed them as a member in their absence.

A4.3 Where an alternate member attends a committee meeting in place of the person who appointed them, that alternate member shall be counted in the quorum for that meeting.

A4.4 An alternate member shall cease to be an alternate if the person who appointed them ceases to be a committee member.

A4.5 Any appointment or removal of an alternate member shall be by written notice to the Chairman of the relevant committee, signed by the committee member making or revoking the appointment.

A5 Co-opted members

A5.1 For each co-opted member, the relevant committee may withdraw that person’s membership of the committee at any time.

A6 Observers

A6.1 A committee or sub-committee may invite anyone to attend any meeting as an observer.

A6.2 The committee shall determine the extent of the observer’s participation in the meeting. However, observers shall not participate in the decisions taken by the committee.

A7 Election of committee members

A7.1 All committee members representing industry categories shall be elected in accordance with Appendix A, section A7.

A7.2 At least one third of each committee’s members representing industry categories shall automatically retire each year, subject to the provision in Appendix A, paragraph A7.3 below. The longest serving members shall be subject to retirement first and, in the case of service of equal length, the matter shall be decided by the drawing of lots.

A7.3 Where a committee member relinquishes his appointment during the relevant year for reasons other than automatic retirement, this relinquishment shall contribute to the one third retirement required by Appendix A, paragraph A7.2.

A7.4 Retiring committee members may be nominated for re-election.

A7.5 In order to be eligible for election as a committee member each candidate shall meet the following minimum requirements:

a) Demonstrate competence in the area concerned, including relevant practical experience (for example, by submitting a comprehensive curriculum vitae)

b) Occupy (or have occupied) senior positions in the industry
c) Have an understanding of the broad business challenges faced by industry, including its costs

d) In the case of engineering experts, be chartered members of an appropriate professional institution which covers the relevant area

e) Have a broad understanding of the Code and Standards Manual, particularly the scope and decision taking principles defined in sections 5.1 and 5.2 of the Code, and

f) If elected, be willing to deputise for the chairman of the committee, if so requested by him or by the committee.

A7.6 If a company or association in the electorate concerned has a doubt as to whether a candidate meets the requirements of Appendix A, paragraph A7.5 and lodges a formal concern with RSSB:

a) ISCC shall decide whether a candidate for a Standards Committee meets those requirements.

b) The Board shall decide whether a candidate for ISCC meets those requirements.

A7.7 The voters in the electorate for a committee seat shall be the members of RSSB in the industry category that the committee member will represent.

A7.8 Where a single company, association or other person comprises the electorate for a committee seat, it shall appoint the committee member and an election need not be held.

A7.9 For the purpose of this Appendix, a person appointed to a committee in accordance with Appendix A, paragraph A7.8 shall be considered as a person who is an elected member of the committee.

A7.10 Where the electorate for a committee seat consists of more than one company or association, then:

a) When there is a vacancy, invitations for the nomination of candidates shall be sent by RSSB to the chief executive (or equivalent person) of each company or association in the electorate for that committee seat, and

b) Although nominations may only be made by a company in the electorate for that committee seat, or by an association representing such companies, candidates need not be employed by or have any other connection with the company or association.

A7.11 Before an election for a seat on a committee, the Chairmen shall advise the electorate of the type of expertise that would be most beneficial to the committee, taking into account the expertise already available from the existing members.

A7.12 The following voting arrangements shall apply to all elections for members of a committee:

a) Elections shall be conducted by an independent body nominated by RSSB.
b) The single transferable vote system shall be used

c) The ballot paper shall be sent to the chief executive (or equivalent person) of each company or association

d) The right to vote may not be transferred

e) In the event of a tie, the committee concerned shall be asked to select the successful candidate, and

f) The results of the vote shall be published and sent to all the voters in the electorate.

A8  Annual review of membership

A8.1 Each committee shall review its membership annually to confirm that the composition of the committee remains appropriate to the purpose.

A8.2 Where a committee considers that membership is no longer appropriate, that committee shall take steps to obtain the appropriate representation on the committee.

A8.3 The results of the annual review of membership shall be advised to the Board for ISCC and to ISCC for Standards Committees.

A9  Removal of an elected committee member

A9.1 The relevant industry category shall, at the request of the ISCC Chairman for ISCC or the relevant Standards Committee Chairman for Standards Committees, remove and replace an elected member of a committee if that member either:

a) Ceases to meet the minimum requirements for selection as a member

b) Ceases to be able to represent the interests of the industry category which appointed them

c) Is absent from at least three out of six consecutive committee meetings without the permission of that committee, or

d) Resigns his office by notice to the committee Chairman in accordance with paragraphs 8.2.2 or 8.3.5.