

ROGS IMPLEMENTATION BRIEFING 2006

Railways and other Guided Transport Systems (Safety) Regulations 2006 (ROGS)

**Implementation Briefing
December 1 2006**

Supported by:

ATOC, C2C Rail, Chiltern Railways, EWS, First Engineering, First Group, Freightliner, Grantrail on behalf of ISLG, LUL, National Express, Network Rail, ORR, Porterbrook, South West Trains, RIA and RSSB

New safety regulatory framework

Caroline Wake
Head of Legislative Development
ORR

New safety regulatory framework

- Why?
- What do they replace?
- What are the main changes?

New safety regulatory framework

- **What is ROGS?**
ROGS is a new set of national regulations which define the safety management regime to be adopted across all UK rail companies from October 2006.
- **What does it stand for?**
Railways and other Guided Transport Systems (Safety) Regulations 2006.

New safety regulatory framework

- **Why a new set of regulations?**

In a word..... Europe but also aspiration to simplify domestic UK rail safety regulatory structure.

- **Let me explain more!**

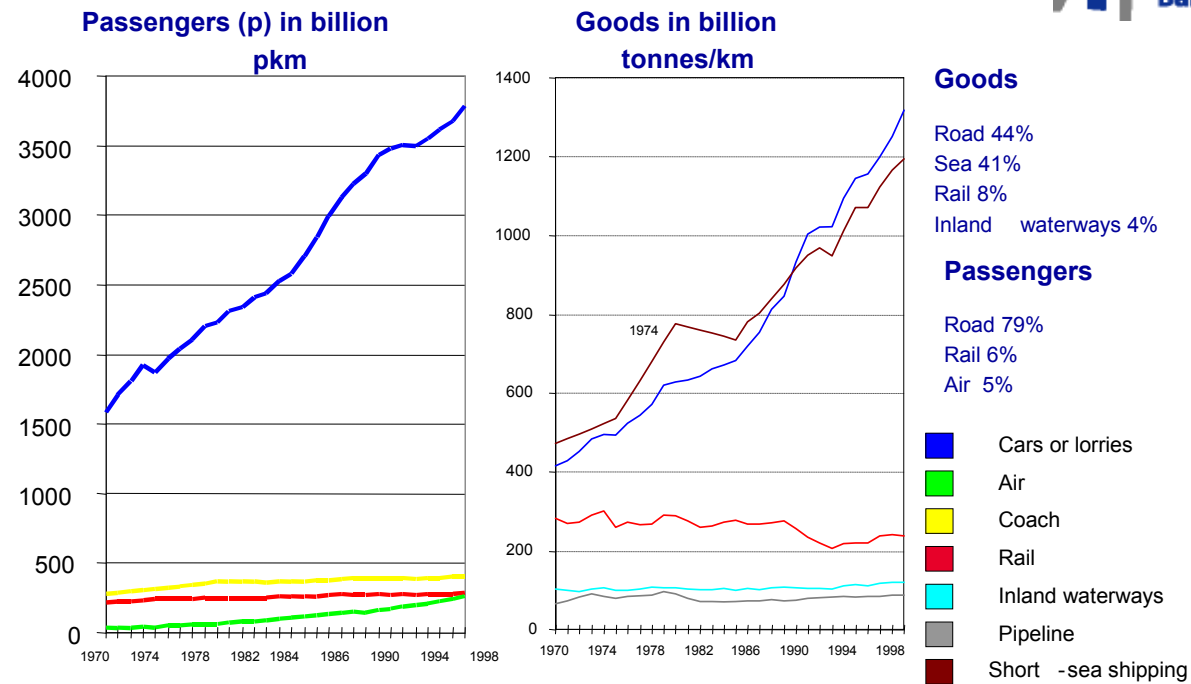
EU objective to improve the competitiveness of rail as a transport mode.

More competitive rail sector will grow market share which in turn will reduce environmental impact of transport.

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New safety regulatory framework

Deterioration of the modal split



New safety regulatory framework

EU has introduced a new legislative regime for safety:

- **Regulation EC 881/2004:** Establishment of European Rail Agency (ERA)
- **Directive 2004/49/EC:** Railway Safety Directive – Establishment of standardised approach to safety management systems
- Interoperability Directives
 - 96/48/EC High Speed
 - 2001/16/EC Conventional
 - 2004/50/EC Amendment

New safety regulatory framework

HM Government has developed and introduced Regulations on the following:

- Interoperability
- Access to Training
- Accident Investigation
- Safety (ROGS)

New safety regulatory framework

What does ROGS replace?

- The Railways (Safety Case) Regulations 2000
- The Railways (Safety Case) (Amendment) Regulations 2003
- The Railways (Safety Critical Work) Regulations 1994
- The Railways and other Transport Systems (Approval of Works, Plant and Equipment) Regulations 1994 (ROTS)

New safety regulatory framework

- **Key provisions of ROGS?**
- Replaces Railway Safety Cases (RSC) with standardised safety management systems (SMS) for infrastructure managers (IM) and train operators
 - Part A generic – SMS (policies, procedures, methods and controls).
Authorised by National Safety Authority (NSA) of home member state, recognised through EU.
 - Part B demonstration of controls to implement specific requirements of each member state.
Authorised by NSA of relevant member state(s)
Time scales are specified for how quickly the NSA will process applications.

New safety regulatory framework

- Development of an SMS requires positive identification of affected parties, consultation with these parties and opportunity for them to formally review final submission.
- Authorised or certificated SMS is then valid for 5 years.
- Provides for removal of authorisation or certification by NSA
- Removes requirement for NSA to authorise changes to an SMS unless substantial in terms of “type or extent”
- Removes the residual system safety responsibilities of Network Rail as Infrastructure Controller. Each operator now bears full responsibility for safety of the system, each for their own part

New safety regulatory framework

- Enhances the Duty of Cooperation between IM and train operators for maintenance and improvement of system safety performance. Also requires Duty of Cooperation between railway systems.
- Makes the IM responsible for coordination of emergency plans
- Removes “in possession” train operation from scope and places this responsibility under the IM
- Removes the requirements for an annual third party SMS audit
- Introduces the requirement for new or amended assets to be authorised prior to placement into service under either the interoperability regime or in accordance with a formal safety verification regime

New safety regulatory framework

- Refines safety critical work regime and requires SMS to demonstrate control regime including fitness and fatigue
- Undertake a comprehensive risk assessment and regularly update
- Prepare an annual safety report and submit to NSA

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Roles, Responsibilities and Changes

John Abbott
Special Projects Manager
RSSB

Where are the roles defined?

In the Regulations! However there are a number of inter-related Regulations which determine roles and responsibilities.

1. ROGS Regulations
2. Railway (Interoperability) Regulations
3. Rail Accident Investigation Regulations

So lets introduce the players.....

1. **Member State**

- Department of Transport (DfT)
- Implementation of EU Directives
- Article 21 Committee
- Decision maker in respect of Projects requiring approval under Interoperability

2. **National Safety Authority**

- Office of the Rail Regulator (ORR)
- Authorisation of Part A and B SMS applications
- Renewal of SMS every 5 years
- Monitoring and Inspection
- Full or part revocation of SMS
- Lead response to RAIB report recommendations
- Enforcement and prosecution
- Annual reporting

3. HSC / HSE

- Development of non-rail specific health and safety legislation
- Investigation of non-rail specific workplace accidents

4. Rail Accident Investigation

- Rail Accident Investigation Branch
- Route cause, no blame investigation of railway accidents as defined in Regulations
- Monitoring of trends – special investigations

5. Infrastructure Manager

- Network Rail for mainline (no longer Infrastructure Controller)
- Remaining system safety role ceases
- Lead role for emergency planning and incident management
- Network Rail and Train Operators for stations

6. Transport Undertakings

- Passenger Train Operators, Freight Train Operators and contractors who operate trains / plant outside of engineering possession

7. Notified Bodies (NoBos)

- Competent organisations accredited by DfT to independently assess compliance with TSIs

8. **Competent Persons**

- Second or third party bodies approved by RSC or SMS holders as part of their internal Safety Verification procedure to place new or amended assets into service

ROGS Transition

- ORR to continue to offer ROGS new works and plant approvals for projects already underway and scheduled for completion before September 2008
- Existing Railway Safety Case holders to replace with new Part A and B SMS by September 2008

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- In possession only RSC holders to cooperate with Network Rail during conversion period for the RSC to new arrangements
- Network Rail will work with Transport Undertakings during transition period for Route Acceptance, Possessions, Investigations and replacement of residual system safety arrangements

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Timescales for implementation and transition arrangements

Caroline Wake
Head of Legislative Development
ORR

Transitional arrangements

- Structure of ROGS:
 - Part 1 definitions (Regs 1 and 2);
 - Part 2 Certification and authorisation (Regs 3 to 21);
 - Part 3 Risk assessment, annual reporting, duty of cooperation(Regs 19 to 22);
 - Part 4 Safety critical work (Regs 23 to 26);
 - Part 5 Appeals, exemptions etc. (Regs 27 to 34)

Transitional arrangements

- Application:
 - Part 2 all transport undertakings (TUs) (except possessions only) and infrastructure managers (IMs);
 - Part 3 (TUs) and (IMs) for all Regs, plus contractors for the duty of cooperation;
 - Part 4 Everyone who does safety critical work

Transitional arrangements

- **ROGS Schedule 5**
 - From 1 Oct. 06 current RSC holders will be 'deemed' to have a certificate and/or authorisation;
 - All RSC holders who are required to have a proper certificate and/or authorisation should have one by 1 Oct. 2008.

Transitional arrangements

Deemed until:

- 1 April 2007 if the triennial review date is between 1 Oct. 2006 and 1 April 2007; or
- The review date, if it is after 1 April 2007 but before 1 October 2008; or
- 1 October 2008 if the review date is after this.

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Transitional arrangements

Date next RSCR periodic review would have fallen due	“Deemed” cert/auth expires and “full” certificate/authorisation is required by	Recommend submit application to HMRI by
Between 1 Oct. 2006 and 1 April. 2007	1 April. 2007	Oct. 2006
Between 1 April. 2007 and 1 Oct. 2008	Date RSC periodic review would have fallen due	6 months before RSC periodic review would have fallen due
After 1 Oct. 2008	1 Oct. 2008	April 2008

Transitional arrangements

- RSC holders: deemed certificate/authorisation
 - Deemed holders:
 - Must continue to comply with their safety cases;
 - Can transfer their deemed cert./auth to a new operator for up to 6 months, regardless of the review date.

Transitional arrangements

- non-RSC holders
 - Non-RSC holders who will need a certificate/authorisation should have one by April 2007
- RSC exemption holders

All RSC exemptions will be valid until April 2007, after which will:

 - Need ROGS SMS only;
eg. heritage with linespeed ≤ 40 kph
 - Need ROGS SMS & certificate/authorisation;
eg. heritage with linespeed > 40 kph
 - Need neither cert./auth or ROGS SMS
eg. cliff railways

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Development, consultation and scrutiny of new safety management systems

Caroline Wake
Head of Legislative Development
ORR

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Development, consultation and scrutiny of SMS

In this session we will:

- Briefly run through the process
- Focus on what the regulator will be looking for
- Touch on some other key issues

Development, consultation and scrutiny of SMS

Where we are now:

- Period of transition
- Moving from safety cases to deemed certificates/authorisations
- Underlying assumption on adequacy of the SMS
- Template

Development, consultation and scrutiny of SMS

Applying 'for real'

- Planned timetable for transferring from safety cases to certificates and authorisations
- Contact HMRI account holder (or HMRI central admin team) for advice

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Development, consultation and scrutiny of SMS Application – who needs what?

ROGS SMS & cert/auth	ROGS SMS only	Neither
Mainline railway transport undertakings (TUs) and infrastructure managers(IMs)	Tramways	Use of a vehicle within a possession
Metro systems TUs and IMs	Transport systems max speed <40kph	Goods/maintenance depots/sidings
Any other guided transport system		System within mine, harbour, factory
		Sundry other (reg 2(1))

Development, consultation and scrutiny of SMS

- **Mainline Safety certificates: Part A/Part B**
 - Part A:
 - Demonstrates that the holder's SMS meets the requirements of ROGS (valid EU wide).
 - Part B:
 - Demonstrates that the holder has adopted provisions necessary to ensure safe operation (valid in member state of issue only).

Development, consultation and scrutiny of SMS

- **Non-mainline Safety Certificate:**
 - Demonstrates that the holder's SMS meets the requirements of ROGS and has adopted provisions to ensure safe operation.
- **All Safety Authorisations:**
 - Demonstrates that:
 - the holder's SMS meets the requirements of ROGS; and
 - has adopted provisions necessary for the safe design, maintenance and operation of the infrastructure.

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Development, consultation and scrutiny of SMS What is the regulator looking for?

- Application evidence
 - Overall test: is the safety management system capable of delivering safety?
- What's required?
 - Overview of systems
 - Specific signposts (to systems and procedures)
- And not required?
 - No copies of procedures or risk assessment required
BUT CAN BE REQUESTED IF THOUGHT NECESSARY
- Judged against the HMRI assessment criteria

Development, consultation and scrutiny of SMS

- **Assessment Criteria**

Different sets for:

- Mainline transport undertaking
- Mainline infrastructure manager
- Non-mainline transport undertaking
- Non-mainline infrastructure manager

Development, consultation and scrutiny of SMS

- **Assessment Criteria (cont.)**
 - 15-16 criteria for each category;
 - Tailored to requirements of the regs.;
 - Largely SMS based.

Development, consultation and scrutiny of SMS

- Examples of assessment criteria for mainline transport undertaking:
 - Part A:
 - Type and extent of operations
 - Training and maintenance of competence
 - Part B
 - Types of work and compliance with standards

Development, consultation and scrutiny of SMS

- Process
 - Initial screen (pass/fail)
 - Representations from ‘affected parties’
 - Main assessment
 - Meet applicant (further info & supporting evidence)
 - Assurance stage
 - Final decision and sign-off
 - Post-issue inspection

Development, consultation and scrutiny of SMS

- Other issues
 - Consulting affected parties
 - Amendments to certificates and authorisations
 - Renewals

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Development, consultation and scrutiny of SMS ROGS/safety cases - comparisons

	RSC	ROGS
Assessment process	Detailed	High level
Assessment time limit	None	Yes
Validity	3 years	5 years
Approval of changes	All material revisions	Substantial only
Exemptions	Many (100 – 150)	Few
Revocation	No	Yes
IM involvement	Direct	Indirect

Development, consultation and scrutiny of SMS

- Guidance
 - HMRI assessment manual <http://www.rail-reg.gov.uk/upload/pdf/284.pdf>
 - Assessment criteria <http://www.rail-reg.gov.uk/upload/pdf/285.pdf>

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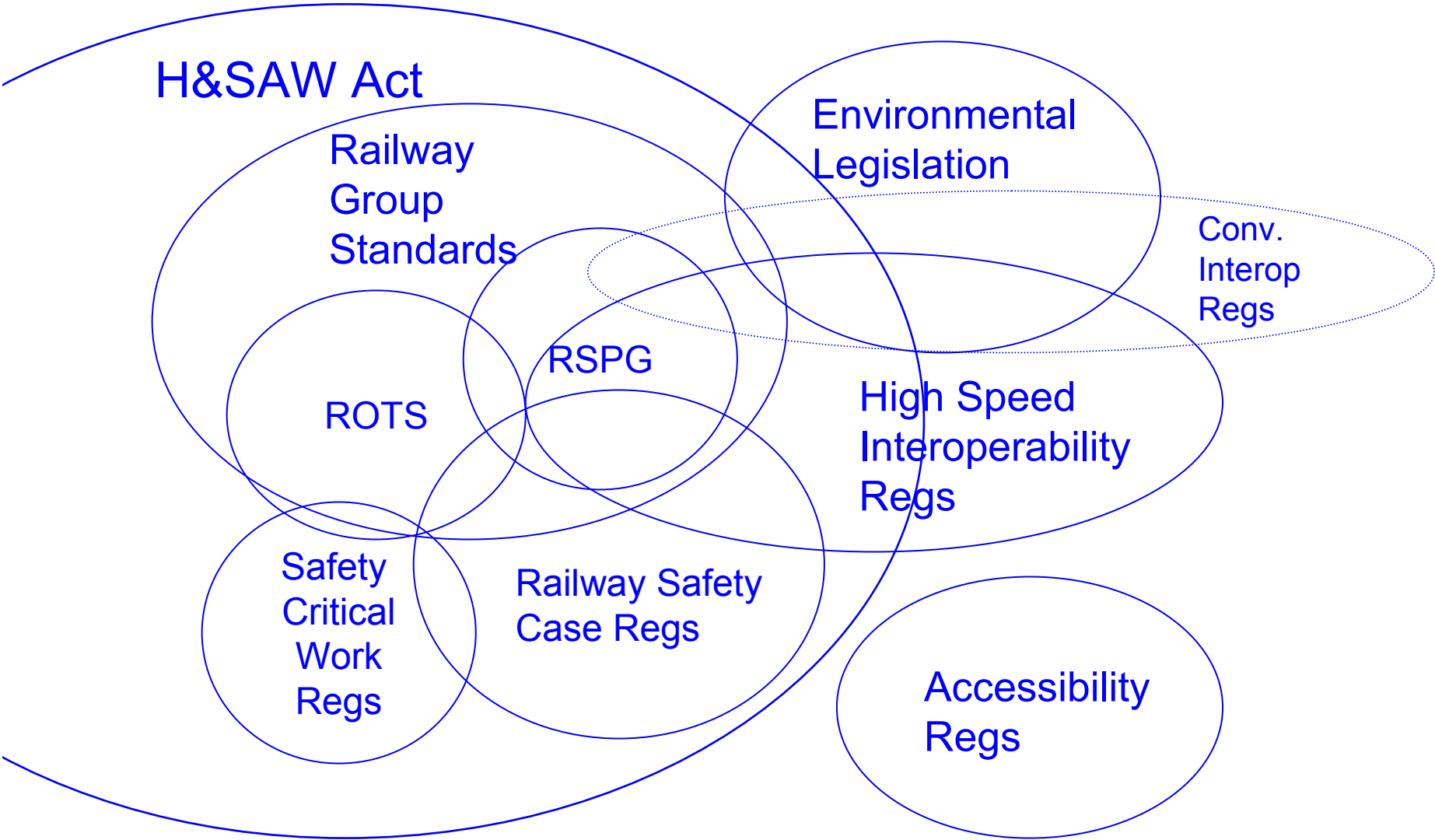
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Interoperability & ROGS – Verification Regimes

Louise Shaw
Systems & Standards Manager
ATOC Ltd

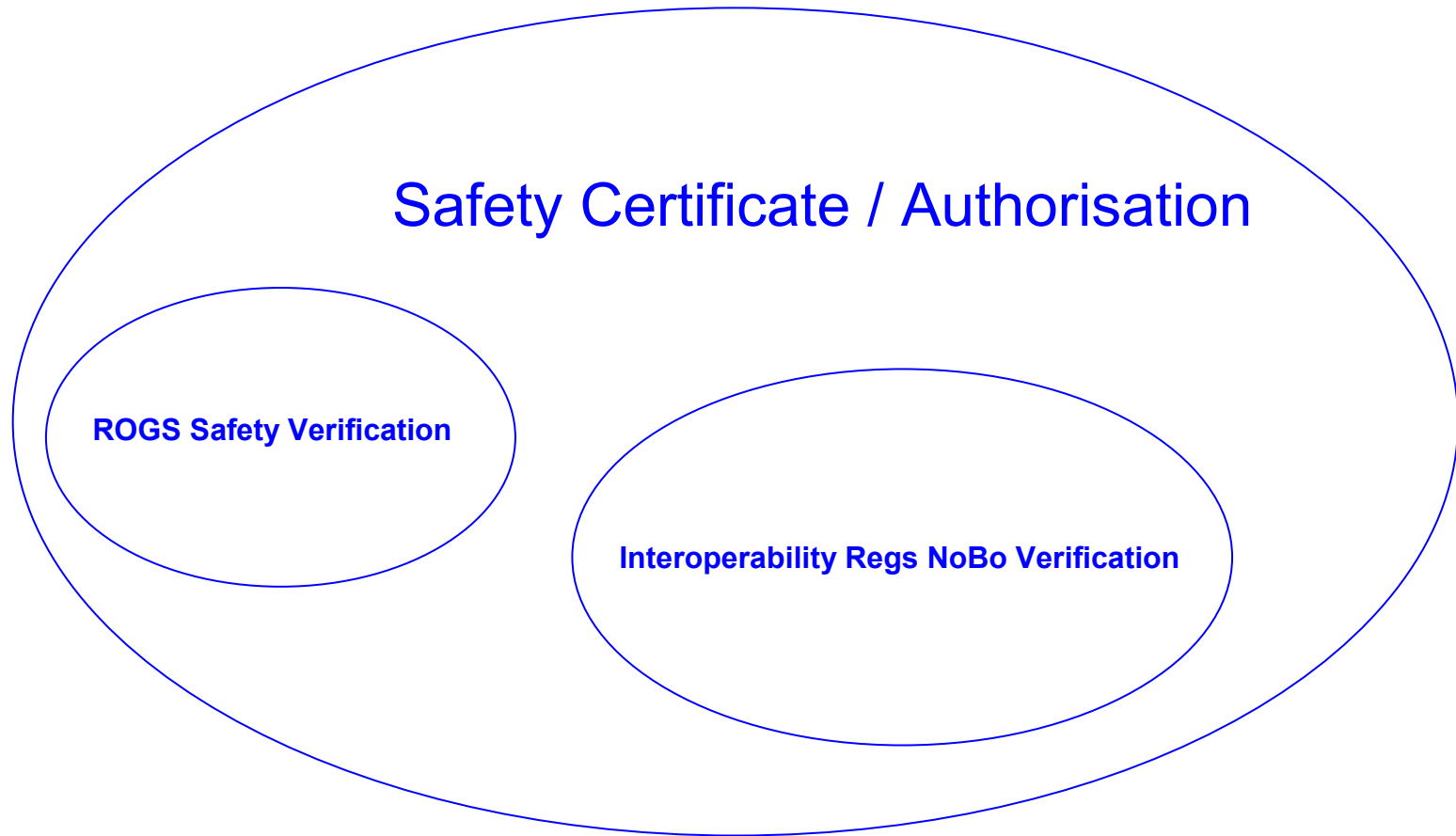
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The Old Regime



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The New Order



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The New Order

- HMG authorisation under the Interoperability Regs
 - New works or Major upgrades
 - or
- Safety Verification as part of a Safety Management System
 - Significant changes creating significant risk
- Nothing else

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Objectives of Verification

- Demonstrate the subsystem meets the Essential Requirements for a railway system (primarily safety)
 - By complying with standards
 - By being properly integrated into the railway system (compatibility)

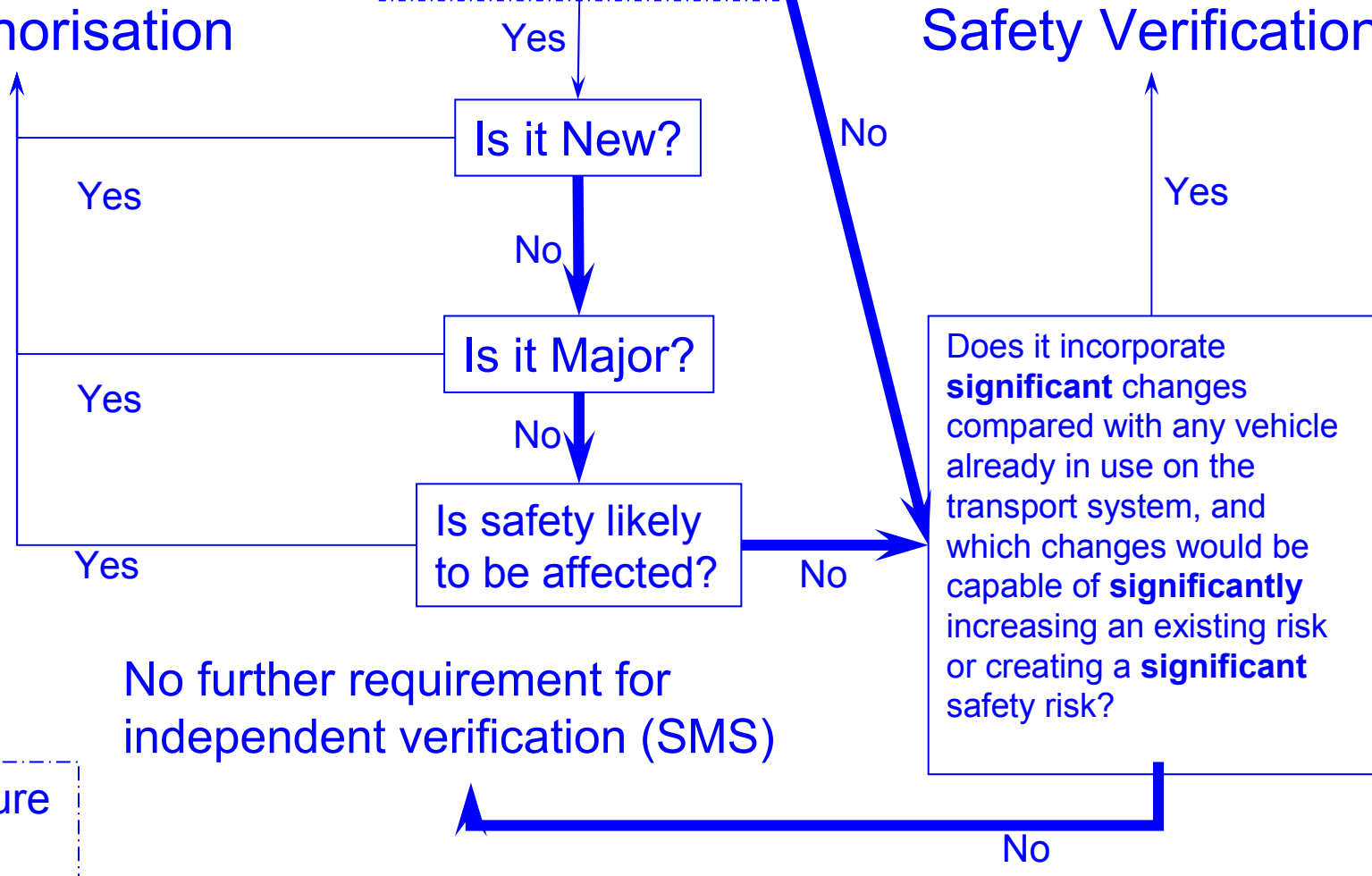
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Which Process?

Interoperability
MS Authorisation

Is it on the TEN?

ROGS
Safety Verification



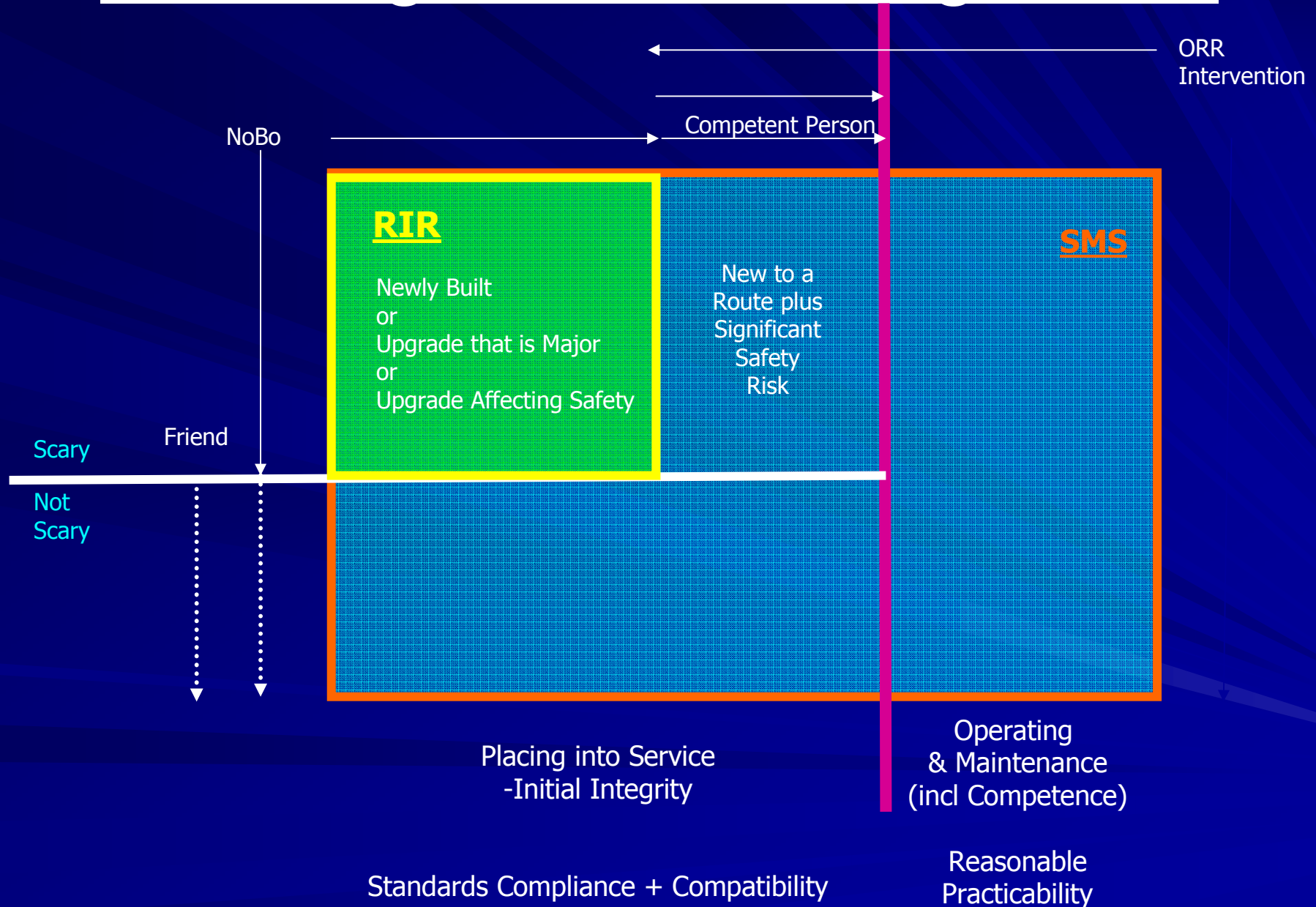
(infrastructure only)

No further requirement for independent verification (SMS)

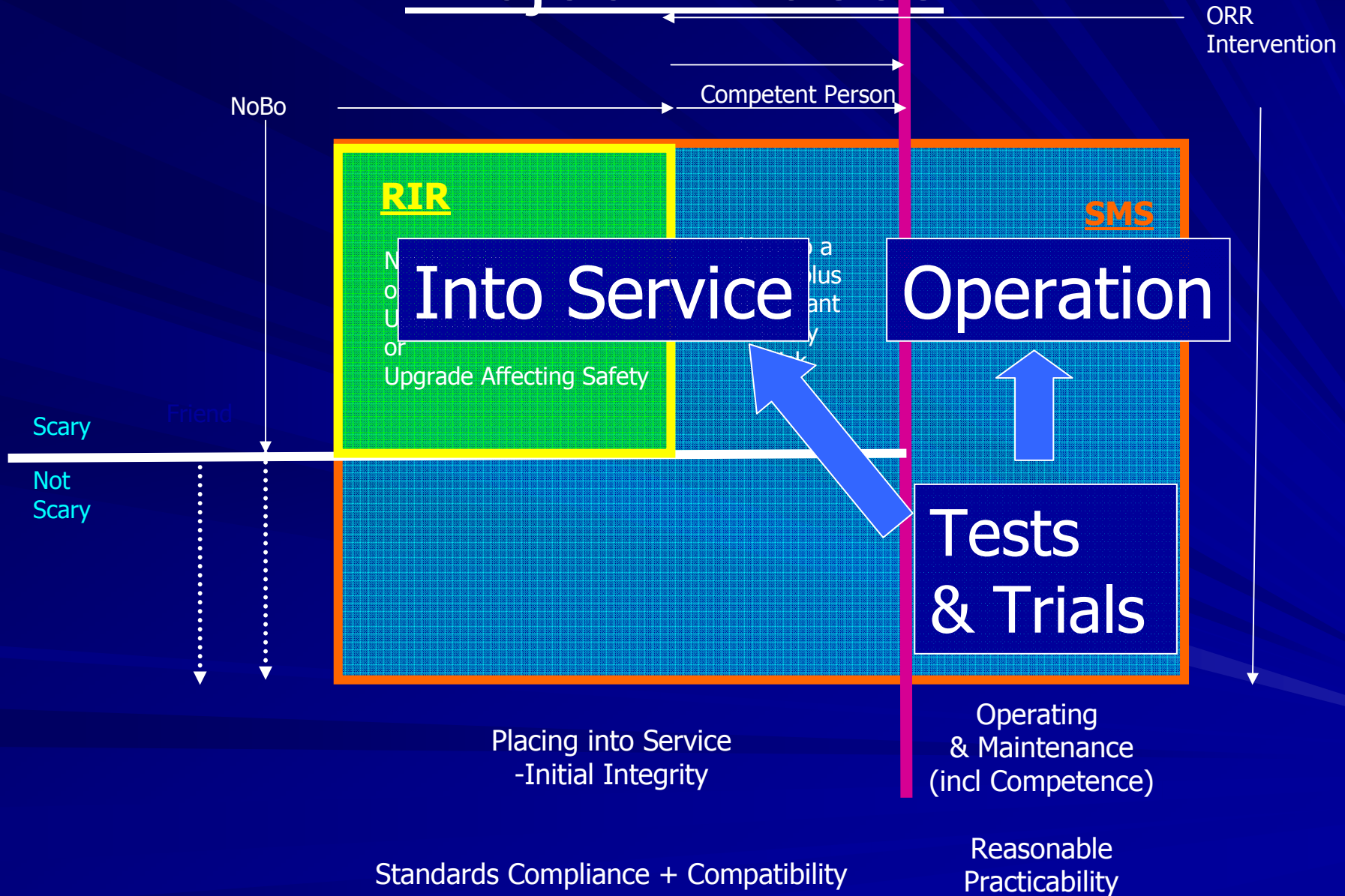
Does it incorporate **significant** changes compared with any vehicle already in use on the transport system, and which changes would be capable of **significantly** increasing an existing risk or creating a **significant** safety risk?

No

The Regime for Rolling Stock



The Regime for Rolling Stock – Project Phases



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The Changes

Processes

Safety Case
ROTS
RSAB
VAB

Standards

ROTS Inspector's judgement of ALARP
RSAB's judgement of ALARP
RGS (incl. VAB judgement of ALARP)
Safety Case approver's judgement of ALARP

Decision for Authorisation

ROTS Inspector
Network Rail
VAB
HMRI

← **RU/IM's SMS** →
 Comply with standards, be compatible

Normally

Internal
 Process

Significant
 risk

Use CP
 verification
 as part of
 SMS

New & Major

Verify SMS
 results using
 NoBo

National Standards

[But as TSIs=ALARP
 could use TSI where it
 exists and derogate
 from RGS]

TSIs
 (incl. Notified
 National
 Technical
 Rules = RGS)

IM/RU

HMRI
 Checking
 NoBo
 Certificate

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“Significant” ⇒ Safety Verification

Safety Certificate/Authorisation holder has a choice:

- Standards based, verification by independent CP
 - Verify compliance with standards
 - Verify compatibility
 - Record details in a project file
- Project Safety Case/Yellow Book Process
 - Concept feasibility
 - Design & Integrity check
 - Manufacture
 - Test & Verify

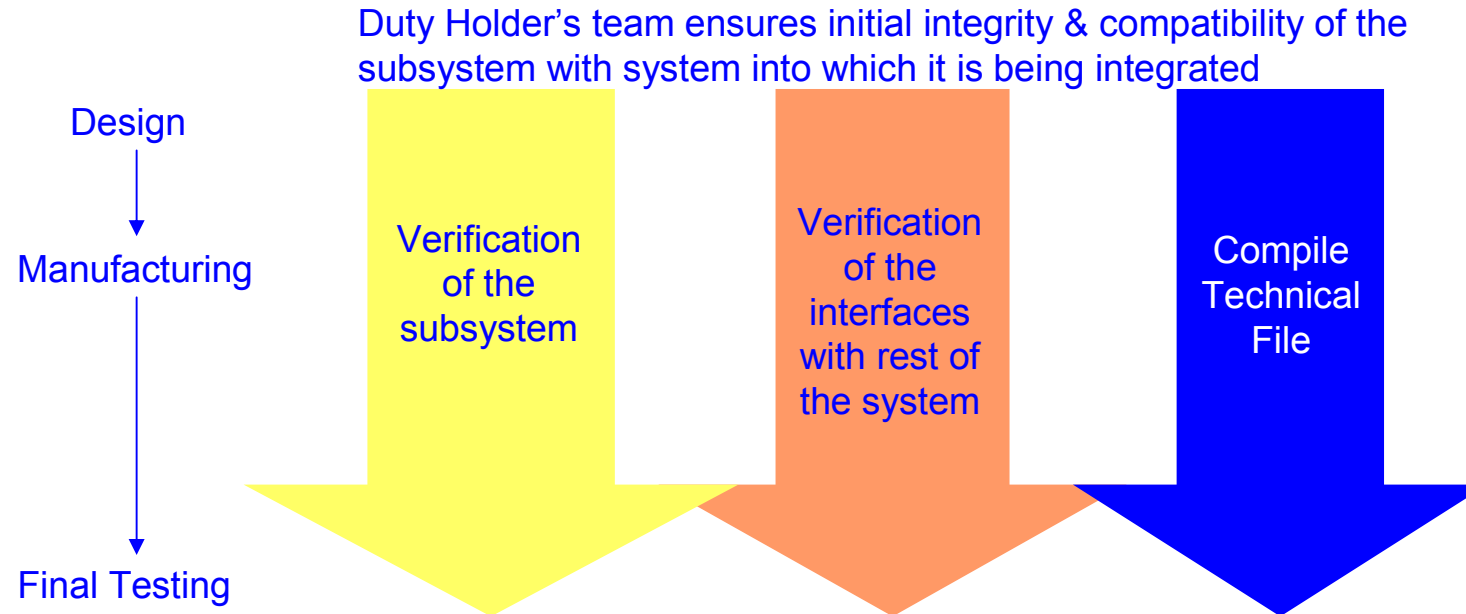
How Safe is Safe Enough?

- TSIs + NNTRs =
Ess. Rqmts =
ALARP
- That's it (nothing
else needed)
- If MS decides it isn't,
change the TSI
- No Safety Case
needed
- Compatibility = Duty
Holder introducing
the change decides
- Duty Holder can
always decide to go
for more

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Placing Infrastructure & Trains into Service

Appoint your verifier



Technical/Project File includes:

Certification for ICs used, conditions of use, limitations of use, servicing, monitoring, adjustment and maintenance instructions

Verification is one time only for the type, the first time it is put into service

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Infrastructure and Rolling Stock compatibility

Author Keith Rose
Engineering Standards Manager
Porterbrook Leasing

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Compatibility

- Current process
 - Railway Group Standard GE/RT8270 issue 1
 - NRAB
 - NR Certificate of Authority to Operate
- ROGS - 22(3)
 - “every operator shall co-operate ... to achieve safe operation”

Compatibility

it IS NOT:

- To cover areas where compliance with standards has been demonstrated
- a commercial contract

it IS:

- demonstration by the duty holder that the change being introduced is compatible with the rest of the railway system

Compatibility

- Safety “approval” by the Infrastructure Manager is no longer appropriate for the introduction of new vehicles or changes to vehicles.
- The need for commercial agreements between Railway Undertaking and the Infrastructure Manager to gain access the network is however unchanged

Compatibility

Remember

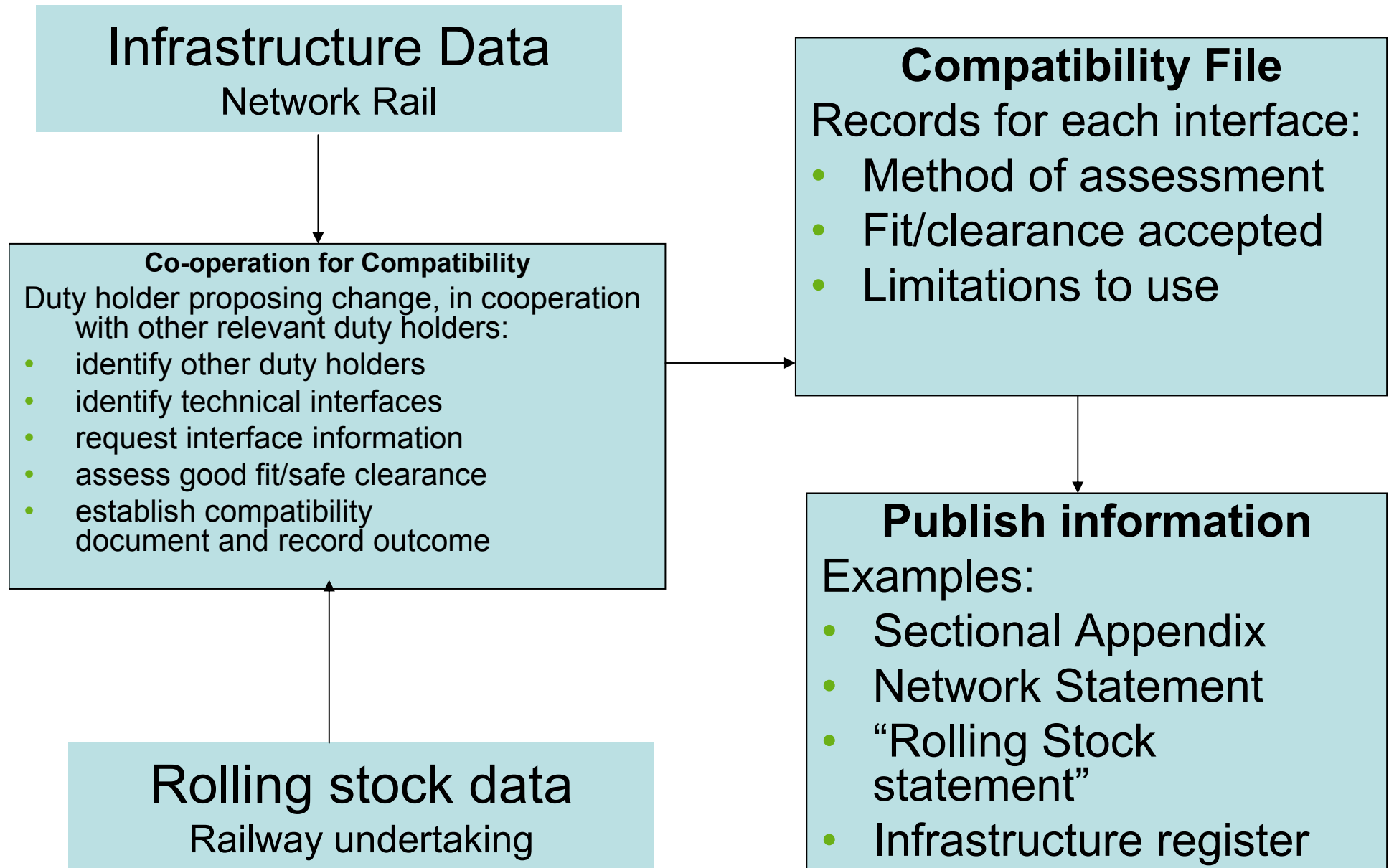
- The Law of the land has changed
- The Laws of Physics have not

Compatibility process

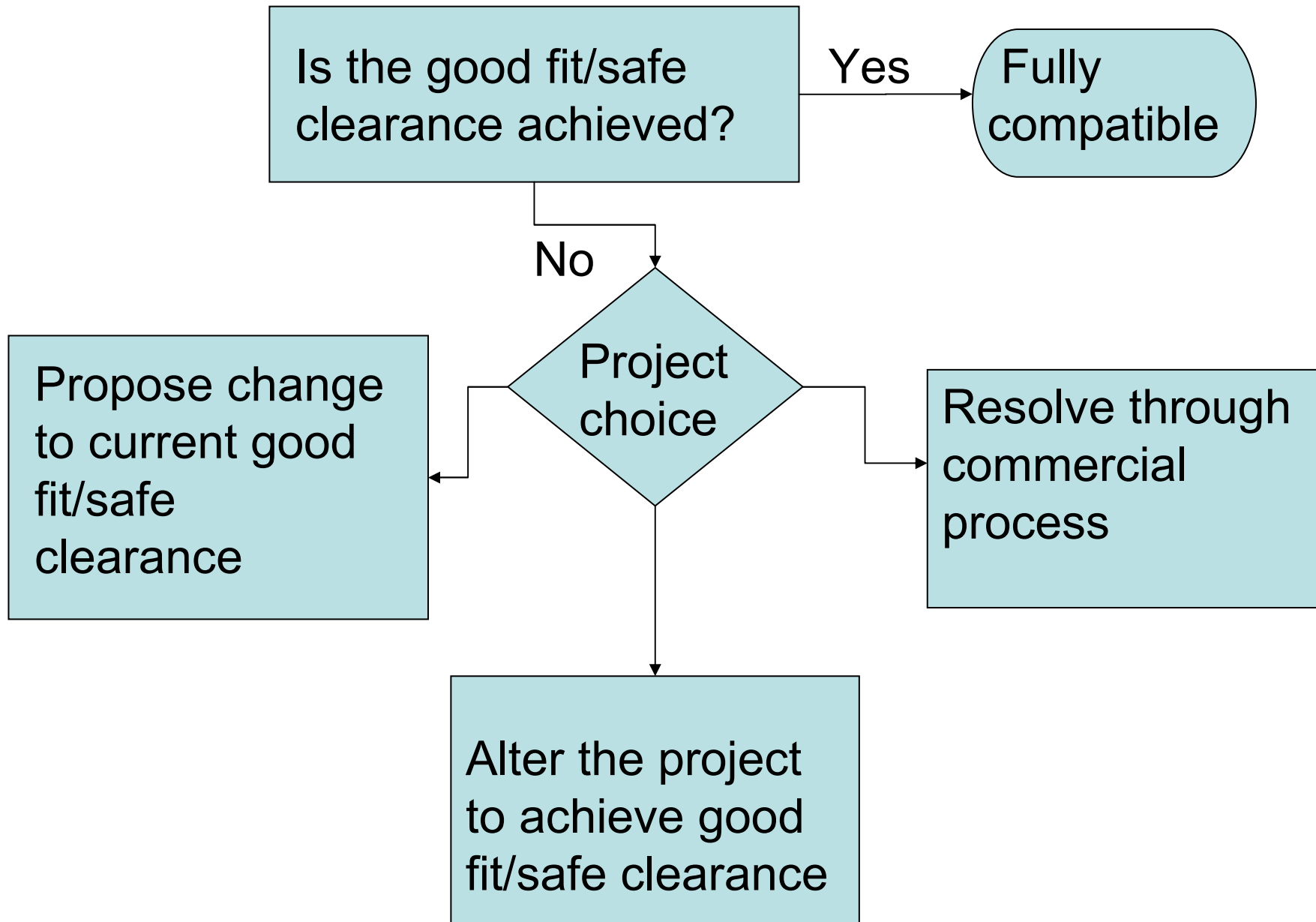
Duty holder proposing change, in co-operation with other relevant duty holders:

- identify other duty holders
- identify technical interfaces
- request interface information
- assess good fit/safe clearance
- establish compatibility
- document and record outcome

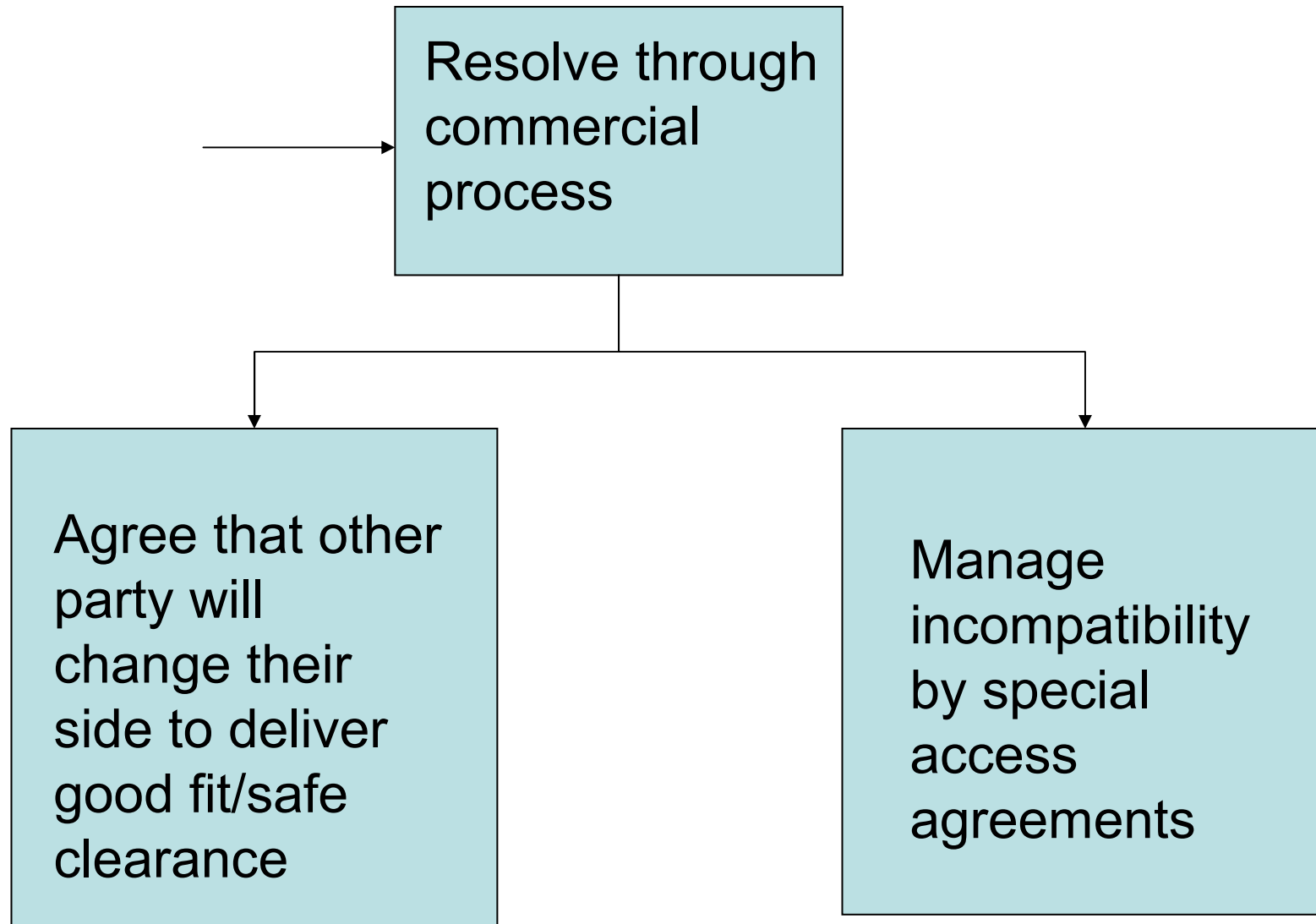
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Sequence of Events for GE/RT 8270 issue 2

- Draft changes under development
- Multi-functional Standards Committee
- Consultation
- Publication 2007

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Interim

So what happened on 1 October 2006 ?

Existing process continues until issue 2 of
GE/RT 8270 published

Compatibility - summary

- Each duty holder will “approve” itself, using SMS and co-operation
- Clear distinction between technical and commercial process
- GE/RT8270 due 2007
- Existing process until then

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Keith Rose

keith.rose@porterbrook.co.uk

01332 262429

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Engineering Possessions

Stuart Norfolk

C&P Manager Supplier Qualification and Assurance

Network Rail

Engineering Possessions

- From 1st October On-Track Plant in possession only operators no longer require a Railway Safety Case (RSC).
- Network Rail becomes responsible for setting the framework for plant in possession activities.
- The Rule Book, applicable RGS's and Network Rail Company Standards continue to apply.
- From October 1st 2006, contractors and suppliers are to maintain current RSC controls.

Engineering Possessions

- Freight hauliers working in possessions, are required to maintain existing RSC controls, compliance to the Rule Book and applicable Railway Group and Network Rail Company Standards.
- Outside of possessions ORR Safety Certification requirements will apply.

Engineering Possessions

- Network Rail are in the process of reviewing their supplier assurance arrangements.
- In the short term, suppliers have committed to maintain the organisation and arrangements described in their previously accepted RSC.
- Based on this commitment suppliers continue to be 'authorised' to operate plant inside engineering possessions.

Engineering Possessions

- Following the review, Network Rail will authorise suppliers through a 'licensing' regime.
- Network Rail will monitor compliance through our own assurance processes.

Engineering Possessions

- External RSC audit regime will not be mandated upon contractors and suppliers.
- Suppliers will be required to determine the most appropriate method for auditing their organisation and arrangements.
- Key part of licensing requirement.

Current Status

- Licensing requirements have been established through a cross industry working group.
- List of authorised supplier's circulated throughout Network Rail.
- Licensing regime to be rolled out during spring 2007.

Licensing Regime Impact

- No fundamental changes to requirements.
- No requirement to re-submit documentation unless material changes are made to organisation and arrangements.

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Safety Critical Work

Caroline Wake
Head of Legislative Development
ORR

Safety Critical Work

- ROGS replaces the Railways (Safety Critical Work) Regs 1994. The main changes are:
 - Some additional tasks are now defined as safety critical;
 - Main duty on ‘controller of safety critical work’ rather than employer;
 - Hours of work requirements replaced by need to manage fatigue;
 - No requirement to carry ID;
 - Duty of co-operation.

Safety Critical Work

- Safety critical tasks - definition extended to include:
 - Maintenance, and installation of components, in relation to a vehicle used on a transport system;
 - Practical training, or supervision of training, in safety critical tasks.

Safety Critical Work

- Controller of safety critical work
 - Responsibility is with the organisation that actually controls the work;
 - Controllers need to be sure that those under their control are competent, fit and not too fatigued etc. and that assessment records are available
 - This will require controllers to work with others to ensure all duties are complied with (see cooperation requirements in ROGS reg 26)

Safety Critical Work

- Fatigue
 - Controllers are required to make sure safety critical workers under their control, management or supervision are not going to be so fatigued as to significantly affect his or others H&S. No longer just hours of work.

Safety Critical Work

- Duty of co-operation
 - Specific duty on controllers of safety critical work to co-operate to ensure they can all comply with safety critical work duties under ROGS;
 - Will involve sharing information e.g. on workers' competence and fitness assessments

Safety Critical Work

- Guidance available on ORR web site at <http://www.rail-reg.gov.uk/server/show/nav.1106>:
 - <http://www.rail-reg.gov.uk/upload/pdf/283.pdf> (general ROGS guidance)
 - <http://www.rail-reg.gov.uk/upload/pdf/293.pdf> (fatigue guidance)
 - Developing and maintaining staff competence (RSPG part 3A)
 - Other guidance in preparation on definition of safety critical tasks.

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System Safety and Duty of Cooperation Framework

John Abbott
Special Projects Manager
RSSB

System Safety....some history

- In 1994 Infrastructure Controller was provided with significant system safety responsibilities
- Since 1997 the Infrastructure Controllers system safety role has been progressively reduced

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- The residual safety role of Network Rail as Infrastructure Controller was:
 - RSC scrutiny
 - Interface risk monitoring
 - Limited regulatory powers (Reg 12 and 13)
 - Operation of system controls (Route Acceptance, Investigations)
- Railway Safety Case Regulations contained an obligation for duty holders to cooperate with each other

System Safety under ROGS

- Infrastructure Manager replaces Infrastructure Controller – IM no longer has any wider system safety responsibilities
- IM and Transport Undertakings are both responsible for safety of mainline railway system through:
 - Control of risk at source
 - Duty of Cooperation to maintain and improve safety of railway system

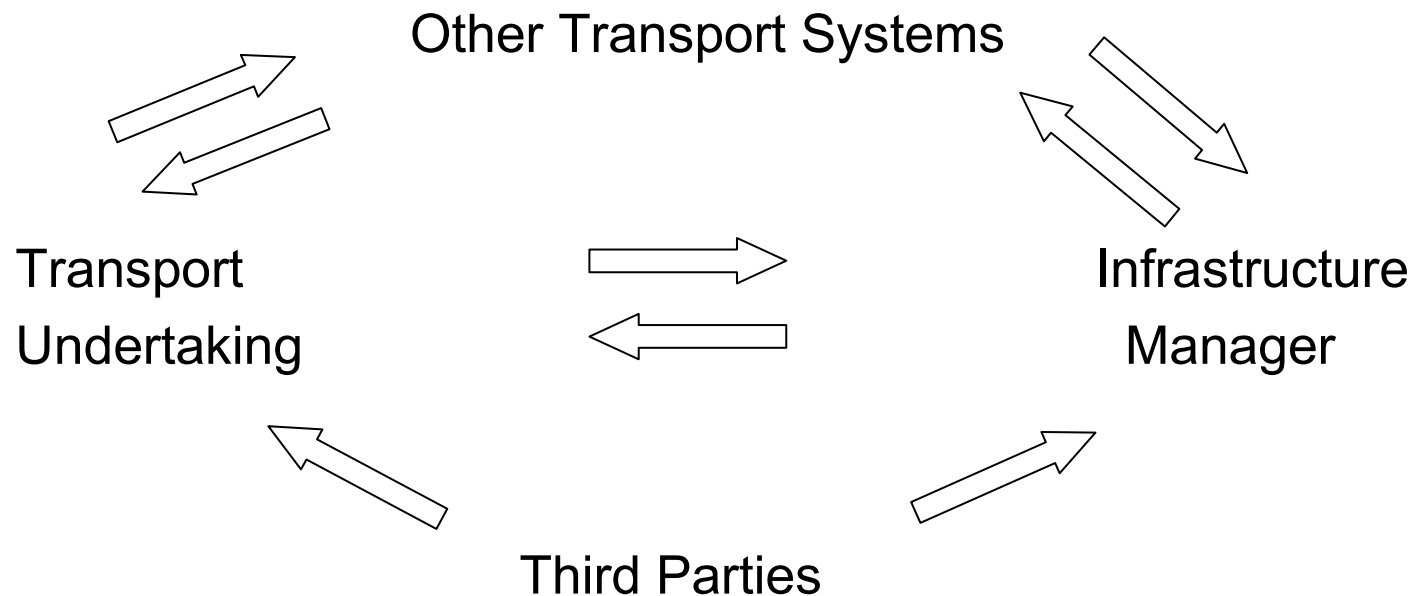
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- Safety Management System of each Transport Operator must recognise system risk
 - risk exported to others
 - risk imported from others

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In other words.....a level playing field!

MAINLINE RAILWAY SYSTEM SAFETY



The Duty of Cooperation

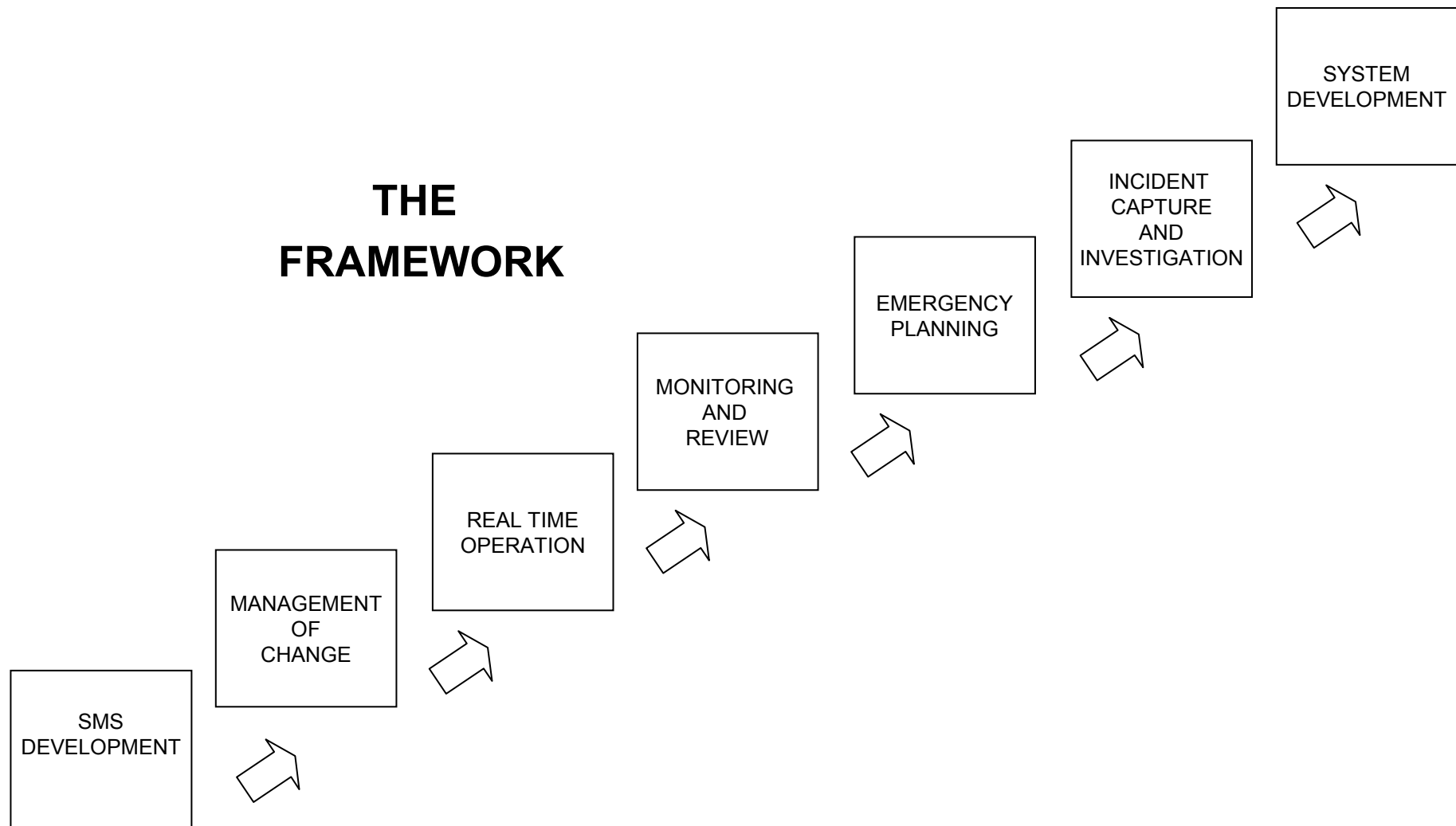
- ROGS strengthens the previous Regulatory requirement for a Duty of Cooperation
- Over the past few years Network Rail, Train Operators, Contractors and RSSB have established a variety of methods for demonstrating collaborative working....but these have never been captured into an overall framework

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- ROGS has caused Network Rail, Train Operators, Contractors and RSSB to define the overall framework of cooperation between companies
- Nothing new has been “invented” but existing arrangements have been structured into a recognisable framework

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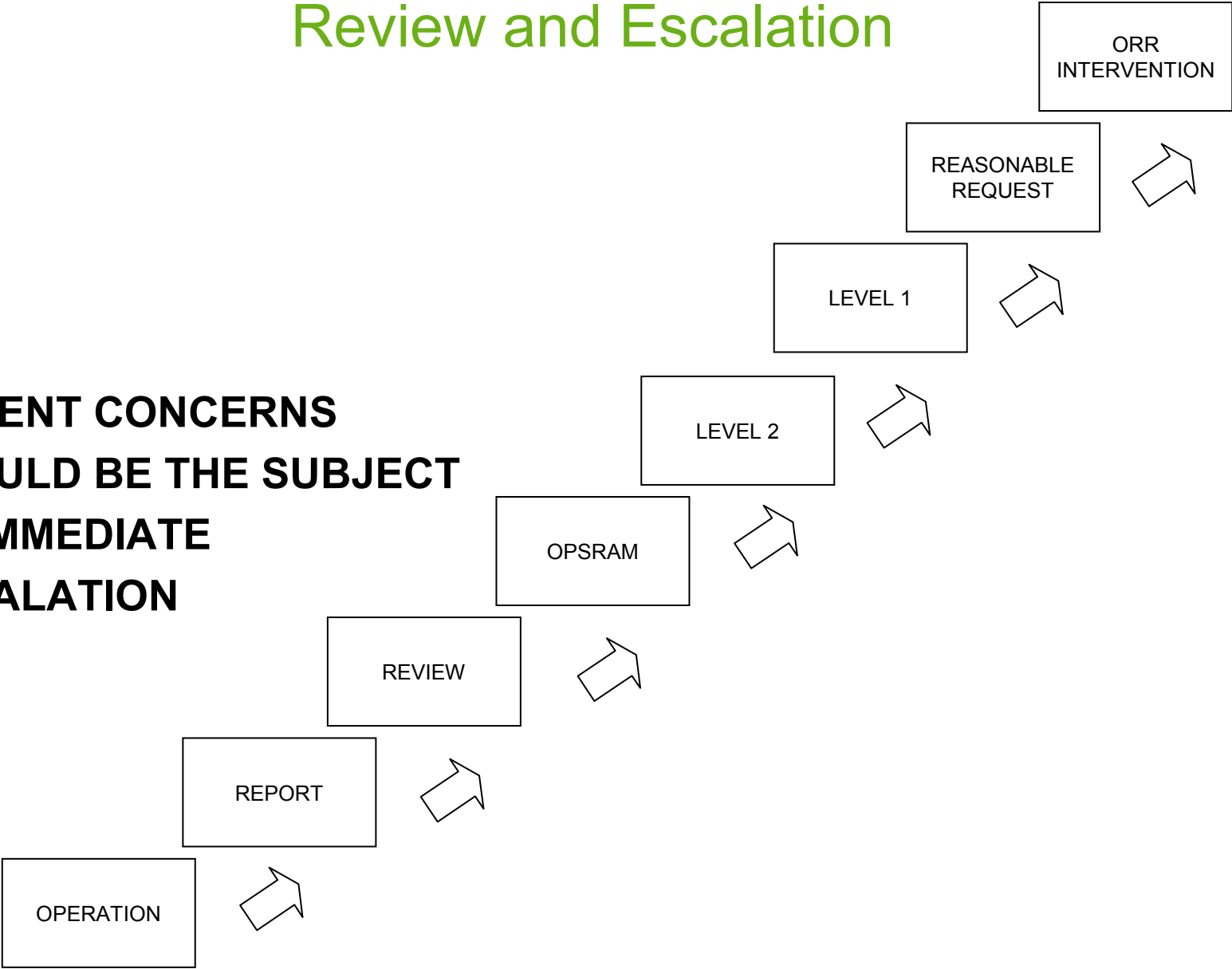
What is the framework?



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Review and Escalation

**URGENT CONCERNS
SHOULD BE THE SUBJECT
OF IMMEDIATE
ESCALATION**



Where is it described?

- Short term
 1. Summary of framework described in RSSB “Existing RSC holder ROGS Regulations 2006 Transition Supplement” – on RSSB website
 2. Detailed description and guidance in RSSB “A Guide to the practical Implementation and operation of Regulation 22 Duty of Cooperation between Transport Operators on Mainline Network”

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- Longer Term
A Common Safety Process with links to other CSPs

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Railways and other Guided Transport Systems (Safety) Regulations 2006 (ROGS)

**Implementation Briefing
December 1 2006**

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ATOC, C2C Rail, Chiltern Railways, EWS, First Engineering, First Group, Freightliner, Grantrail on behalf of ISLG, LUL, National Express, Network Rail, ORR, Porterbrook, South West Trains, RIA and RSSB

Accident Investigation

Aidan Nelson
Director, Policy & Strategic Initiatives
RSSB

Accident Investigation

- RAIB – nothing changes
 - Dialogue continues re industry engagement within RAIB processes, aiming for a trial over the winter
- GO/RT3473 – changes on 06/01/2007
 - Requirement for Formal Inquiries will go
 - Lead party, some changes to reflect parity
 - Competency based approach
 - Provision for independent input

Recommendations management

- RSSB inputs all RAIB recommendations to SMIS which can be used to record progress to closing them out
- RSSB provides ORR (HMRI) with progress reports
- ORR tells RSSB when they consider a recommendation to be closed so that RSSB can update the SMIS position
- ORR (HMRI) has no direct access to SMIS

Recommendations management (2)

- **RAIB reports**
 - Debate with RAIB concerning the basis on which they focus recommendations on “implementers” is ongoing
- **ORR (HMRI)**
 - Processes reviewed and are being documented
 - Industry guidance in response
 - Explanatory letters explaining options (accept / alternative approach / reject) now accompany recommendations to be considered
- **Learning from accidents**
 - RSSB is putting in place a capability

ORR recommendations handling

Caroline Wake
Head of Legislative Development
ORR

RAIB Recommendation Management

- Objectives for ORR
 - Clarity of recommendations' intent/meaning
 - Early discussion with, and feedback to, RAIB
 - Clarity of action holders' identities
 - ORR needs to know who, in RAIB's view, should be acting on RAIB recommendations
 - Clarity of outcomes
 - ORR needs to let RAIB know what's been done, or not done

Clear recommendations

- The ideal recommendation:
 - Specific, measurable, achievable, realistic
 - Targeted at one or more specified duty-holders
- RAIB recommendations are, in general, achieving this

Clarity of outcomes

- ORR, as the National Safety Authority, must let RAIB know what's been done, or what's planned to be done, to implement recommendations

What does ORR do?

- At RAIB's initiative, we discuss their emerging recommendations with them
- Responds to RAIB draft recommendations
- Passes RAIB's final recommendations to duty-holders, asking for an initial response within 4 weeks
 - Response to include acceptance, rejection and (where applicable) a dated action plan
- Decides what, if any, follow-up action by ORR is needed in respect of recommendations, e.g.
 - Checking progress on accepted recommendations
 - Deciding line for ORR to take in respect of rejected recommendation

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Summary

- ORR, RAIB and the industry need to co-operate to get the best out of RAIB investigations
- The industry, and ORR, should expect to disagree with RAIB recommendations from time to time
- ORR will always aim to be open and constructive

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Annual safety reporting

Caroline Wake
Head of Legislative Development
ORR
and
Colin Dennis
Head of Risk & Safety Intelligence
RSSB

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- Regulation 20 requires transport operators who need to have a safety certificate or safety authorisation to prepare and send to ORR by 30th June an annual safety report relating to the previous calendar year.
- First report to be sent by 30th June 2007 covering the period 10th April 2006 to 31st December 2006
- Applies to operators who have already obtained a safety certificate or authorisation under the Regulations and to those still operating under a safety case under the transitional provisions

Content of the Report

- a) information on how qualitative and quantitative targets for the maintenance and enhancement of safety are met and the plans and procedures for reaching those targets
- b) the results achieved through putting the transport operators safety plans into effect
- c) Statistics for the common safety indicators
- d) the findings of internal safety auditing of the safety management system
- e) comments on deficiencies or malfunctions relating to the running of vehicles or management of infrastructure relating to the operation that may be relevant to the safety of that transport system

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Points to Note

- Where an operation covers both the mainline railway and another transport system the report will need to indicate which information applies to the mainline railway.
- Common Safety Targets(CSTs) will not be available until 2009, until then transport operators should report on their own internal targets
- Transport Operators should not restrict themselves to CSTs when they come into force
- Common Safety Indicator(CSIs) data will be produced by RSSB taken from SMIS.
- Guidance will be produced on all aspects of the Safety Report

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Provision of data and information required to meet ROGS Regulation 20(1)

Colin Dennis
Head of Risk & Safety Intelligence
RSSB

ROGS IMPLEMENTATION BRIEFING 2006

Provision of statistics for the common safety indicators – ROGS 20 (1)(c)

- Purpose:
 - To facilitate the assessment of the achievement of the CSTs
 - To provide for the monitoring of the general development of railway safety
- The initial CSIs are outlined in Annex 1 of the Safety Directive covering:
 - Indicators relating to accidents:
 - Fatalities and major injuries
 - Damage in excess of 150,000 Euros
 - Blockage of main line for more than 6 hours
 - Indicators relating to incidents and near misses.
 - Indicators relating to consequences.
 - Indicators relating to technical safety of infrastructure.
 - Indicators relating to the management of safety

Common Safety Indicators

- The safety events recorded against the CSTs and collected as CSIs will only relate to the events associated with:

“Rolling stock in motion”

- Any event not relating to rolling stock in motion eg. stations, track maintenance, trespass etc will be excluded
- Definitions being developed by the ERA in consultation with the CSIs working group

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Provision of data – ROGS 20 (1)(c)

- Important for data to be collected and presented consistently across the IMs and RUs
- RSSB has agreed via the Safety Policy Group to provide this data to ORR for each IM and RU (to meet ROGS) and collated for the industry (to meet the Safety Directive)
- Most data will come from SMIS – additional data will initially need to be requested from IMs and RUs
- Processed data will be provided to IMs and RUs quarterly to enable trends to be monitored
- Data for year end will be provided to IMs and RUs by end of February the following year to enable checking prior to submission to ORR in June.
- First report for calendar year 2006 to ORR by end of June 2007

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Current status

- Currently undertaking pilot study for Jan to June 2006
- ERA template contains 250 data items
- Some definitions still to be defined – particularly relating to the cost of accidents
- Report has been reviewed by the Safety Policy Group
- Will be shared with IMs and RUs for review and comment
- RSSB maintaining close contact with ORR

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ROGS 20 (1) (a), (b), (d) and (e)

- (a) information on how the transport operator's safety targets are met
- (b) the results achieved through putting the transport operator's safety plans into effect
- (d) the findings of safety auditing
- (e) comments on any deficiencies or malfunctions relating to the running of vehicles or the management of infrastructure relating to the operation in question that may be relevant to the safety of that transport system

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ROGS 20 (1) (a), (b), (d) and (e)

- RSSB working with ORR to provide guidance
- Proposed principle to be applied to the reporting of safety targets will be that:

“Safety will be maintained and improved where reasonably practicable”

- Consistent with the developing CSTs and the overall principle of the Safety Directive and the Strategic Safety Plan
- Should apply to all areas of safety not just rolling stock in motion

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ROGS 20 (1) (a), (b), (d) and (e)

- If a company chooses to develop specific safety targets via their safety management system and safety plan progress against these targets should be reported in the Annual Safety Report
- Draft guidance has been reviewed by the Safety Policy Group
- Will be shared with IMs and RUs for review and comment

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Summary of other changes

John Abbot
Special Projects Manager
RSSB

You've heard about the principle changes

- SMS development including consultation and scrutiny
- Interoperability and Safety Verification approval regimes
- Infrastructure and rolling stock compatibility
- Control of contractors in engineering possessions

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- Safety Critical work
- System safety and Duty of Cooperation
- Accident investigation and recommendations management
- Annual safety reporting

What are the other changes in relation to mainline railway?

1. Internal approvals regime - each company to define management procedures for approval of new or amended assets which do not require approval under Interoperability or Safety Verification
2. SMS change process – each company needs to define internal control regime for review and approval of changes to SMS that do not require ORR authorisation

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3. Emergency planning – each company responsible for development, review and update of their emergency plans. However, these plans will require a formal review with the Infrastructure Manager. IM is responsible for ensuring all plans fit together.

4. Future of Interface Standards – future approach to standards management must be reflected in the new SMS. TSIs, Notified National Technical Rules, National Safety Rules, and common safety processes. Start point is RSSB strategy for standards management.

5. Scope and boundary of network – Companies need to understand the limit of their responsibility and relationship with neighbouring Transport Operators who may or may not require an authorised SMS.

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Next Steps For RSC Holders

John Abbot
Special Projects Manager
RSSB

Familiarity

1. Review DFT and ORR guidance to ROGS and Interoperability Regulations
2. Check out the RSSB website for the following:
 - Existing RSC holder ROGS Transition Supplement
 - Guide to Duty of Cooperation Framework
 - Guide on how to use ROGS Transition Supplement
 - Network Rail Railway Safety Case Addendum
 - A good practice guide on fatigue management is being produced by RSSB and should be available on the website in February/March 2007

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3. If in doubt seek advice

Implement Essential Changes

1. Using the RSSB ROGS Transition Supplement – determine precise change necessary to existing RSC, SMS and internal procedures
2. Revise and replace existing SMS components and procedures with new ROGS compatible procedures.
3. Brief all “affected” staff

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4. Publish RSC Addendum Document as contribution of changes
5. Formally notify ORR of ROGS implementation arrangements
6. Be prepared for follow up by ORR
7. Develop your plan for development, consultation and submission of new ROGS compatible SMS to replace RSC

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Improvement Opportunities Presented by ROGS

John Abbot
Special Projects Manager
RSSB

The Opportunity

- Over the next 2 years all mainline Infrastructure Managers & Transport Undertakings will have to develop a European compatible SMS.
- The risk is this could be seen as a purely administrative, mechanistic process whereas it provides a significant improvement opportunity.

What are the Opportunities?

1. Clarity
2. Efficiency
3. One way
4. Harmonised
5. Transparent