

**ROGS Regulation 20 Reports from
transport operators**

2006 – Review and analysis

Summary

1 The new safety regulations for railways in Great Britain, the “Railways and Other Guided Transport Systems (Safety) Regulations 2006” (known as ROGS) came into force in April 2006. One of the requirements of ROGS is for railway undertakings¹ (RU) and infrastructure managers² (IM) to complete an annual safety report (ASR) and send it to the Office of Rail Regulation (ORR). The first set of ASRs, relating to the 2006 calendar year were received by ORR in June 2007. As this was the first year that the reports have been required, the data is limited, but there are also inconsistencies in the way that it has been presented that we will be addressing in the coming year. This has necessarily made meaningful analysis difficult.

Introduction

2 Regulation 20 of ROGS requires RUs/IMs who need to have a safety certificate or safety authorisation to prepare and send to ORR by 30 June an annual safety report relating to the previous calendar year. The ASR shall contain-

- 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*
- c) *statistics for common safety indicators*
- d) *the findings of safety auditing*
- e) *comments on deficiencies or malfunctions relating to the running of vehicles or the management of infrastructure.*

¹ ‘railway undertaking’ means any public or private undertaking, licensed according to applicable Community legislation, the principal business of which is to provide services for the transport of goods and/or passengers by rail with a requirement that the undertaking must ensure traction; this also includes undertakings which provide traction only

² ‘infrastructure manager’ means any public body or undertaking responsible in particular for establishing and maintaining railway infrastructure, as well as for operating the control and safety systems,

The first reporting year - 2006

3 ORR was anxious to ensure that the process for delivery of the first year's reports ran as smoothly as possible. To help transport operators in producing their reports, the Rail Safety and Standards Board (RSSB) and ORR worked closely together to produce guidance for mainline and non-mainline operators.

4 A letter, reminding transport operators of their responsibilities under Regulation 20 of ROGS, was sent to each transport operator in March 2006 together with an electronic version of the guidance document. The guidance documents were also placed on the ORR and RSSB websites. The letter also contained relevant contact numbers of ORR staff, should transport operators require further advice, and details of the ORR e mail account specifically set up for the receipt of the annual reports.

5 As the ROGS regulations came into force on 10 April 2006, there was no requirement for the first set of ASRs to cover the period from 1 January 2006 to 9 April 2006; the exception to this was the data relating to the Common Safety Indicators (CSIs)³ which covered the full calendar year. Some transport operators did however report on the full calendar year.

6 The majority of ASRs were produced and sent to ORR before the deadline of 30 June 2007. The remaining ASRs were received before the end of August 2007. The ASRs were processed by the HMRI Information and Intelligence team and sent to the appropriate HMRI Account Holders⁴ in July 2007 to inform their ongoing liaison and future planning.

Analysis of ASRs for 2006

7 It has proved difficult for the ORR to produce meaningful analysis from the ASRs for 2006 for the following reasons;

- transport operators were still unsure of what to include in their reports and therefore the content varied;
- the reports themselves were inconsistent in presentation terms;
- some reports covered the whole calendar year and others from 10 April to 31 December 2006.

³ 'Common Safety Indicators' are used to facilitate the assessment of the achievement of Common Safety Targets and to provide for the monitoring of the general development of railway safety in EU Member States

⁴ HMRI area teams inspect the activities of dutyholders operating within their geographical area. Each team is assigned a number of dutyholders for whom an inspector acts as Account Holder, coordinating our work nationally with that company.

- only one set of ASRs and associated data has been produced and therefore it is not possible to produce year on year trends. This will be possible in future years as more data is received
- Differences in size and operations of the transport operators make it difficult to produce robust and meaningful comparisons.
- The targets that have been reported on are the transport operator's own targets and therefore make the effect of the achievement of those targets difficult to compare between operators. Common Safety Targets as required by the Railway Safety Directive are due to be in place in 2009 and should make it easier to make comparisons.

8 The following limited analysis was produced from the ASRs;

Safety Targets

11 mainline transport operators met 100% of their targets with the majority meeting more than 60% of their targets. 7 Mainline transport operators met less than 20% of their targets. The majority of non mainline transport operators also met more than 60% of their targets.

Audits

Most mainline transport operators succeeded in completing 100% of their planned safety audits but 9 operators only succeeded in carrying out less than 20% of their planned audits.

Deficiencies or malfunctions relating to the running of vehicles or the management of infrastructure.

The most common deficiencies reported by operators for 2006 were signals passed at danger (SPADs). Actions taken by dutyholders to address this problem included;

- Professional driving technique being monitored on simulators
- Promoting seasonal awareness through briefing documents and company briefing process
- Drivers being made aware of the signs of potential distraction related to their own discomfort and how to manage them i.e. heat, stress, thirst.
- Safety slogans written onto diagrams
- Ensure driver development plans are achievable and focus on improving the individual's performance, including human factor issues.
- Ensuring driver rosters are designed to manage potential fatigue
- Identifying and raising awareness of Operational Risk at area level through implementing focus groups.

Other reported malfunctions or deficiencies resulted in collisions and doors opening while travelling. Investigations and remedial actions were undertaken where appropriate.

Feedback from Transport Operators on the process for 2006

9 In order to improve the quality of the ASRs and the process for completing them it was important to gain the views of transport operators. A survey was carried out by means of a questionnaire asking what difficulties they had encountered, how useful they had found the guidance and any suggestions for improvement in future years on the process. Replies were received from 17 transport operators; a recurring comment was that whilst the guidance was helpful it did leave the required content of the ASRs open to interpretation. ORR undertook to take into account the feedback when producing guidance for 2007 and beyond.

Future Years – 2007 and beyond

10 As a result of the comments made by transport operators, ORR has produced a template which will accompany updated guidance. Use of the template will not be mandatory but we will be encouraging transport operators to use it so that they can be confident that they are fulfilling the requirements of Regulation 20 of ROGS; and there is greater consistency in the reports (which will help ORR when undertaking analysis). Updated guidance and the accompanying template will be sent to all transport operators and also made available on the ORR website.

11 More useful analysis will be possible in future years as a result of transport operators becoming more familiar with the requirements of the regulations, more historical data being available and reports becoming more consistent by the use of a common template.

Conclusions

12 The first set of ASRs produced by transport operators, relating to 2006, reflected the situation during the transitional phase to the ROGS regulations. Producing the reports has been a learning experience for both the transport operators and ORR.

13 The content of the ASRs, the processes for producing them and the outcomes such as useful and useable analysis will evolve over time as more robust data is produced and more experience is gained by all parties. ORR is keen to continue to work closely with industry to ensure that the process is improved in future years to the mutual benefit of all parties.