

Guidance Document

G1015 Application of review criteria for Safety Certification / Authorisation applications

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1 Purpose

- 1.1 The purpose of this Guidance is because London Underground are required to review Transport Undertakings Safety Certification and Authorisation submissions to determine whether or not the general arrangements and more specifically the interface arrangements described in them will, when properly implemented, do not conflict with LUL's compliance arrangements with its own duties as an Infrastructure Manager.

To ensure consistent interpretation of these criteria the following question sets have been developed. The questions are broken down into two levels those that are in bold and shaded are fundamental questions closely following the requirements of Schedule 1 to 4 of the Railways and Other Guided Transport Systems (Safety) Regulations.

The questions following each bold question are regarded as necessary components in answering the fundamental questions. The question sets have been developed paying due regard to LUL's experience of assessing safety cases under the Railway Safety Case 2000 Regulations, the Ladbroke Grove Rail Inquiry Part 2 Report, reviews of Safety Certification and Authorisation submissions carried out in accordance with the Railways and Other Guided Transport Systems (Safety) Regulations and the criteria contained in the Office of Rail Regulation Safety Certification and Authorisation Assessment Manual.

2 Scope

- 2.1 This Guidance applies to all persons involved in the review of a Safety Certification or Safety Authorisation application, and should be used in conjunction with G1014 - Review of Transport Undertaking's Safety Certification / Authorisation.

3 Guidance

3.1 Application and Guidance

- 3.1.1 Everyone involved in the review of a Safety Certification or Safety Authorisation application should consider whether or not the questions contained below are satisfactorily answered within the documents provided. If the submission is felt to be inadequate in any area this should be indicated in the appropriate column and the



reason why this is felt to be the case. Extra space for general issues is included at the end of the question sets. In all cases bear the following principles in mind:

- a) The two main purposes of a Safety Certificate or Safety Authorisation are those contained in the regulations, namely:
 - to give confidence that the operator has the ability, commitment and resources to properly assess and effectively control risks to the health and safety of staff, contractors, passengers and the public; and
 - to provide a comprehensive core document, with links to other more specific documents, rules and procedures, against which management and Office of Rail Regulation can check that the accepted risk control measures and the health and safety management systems have been properly put into place and continue to operate in the way originally intended.
- b) Safety Certification and Authorisation is a record of what a company believes should be happening. If the arrangements described in the submission would, when properly implemented, deliver safety on the ground, then the case should be considered acceptable. If non-compliance does exist these will be a matter for Office of Rail Regulation or company commissioned audits to highlight and remedy, in the case of isolated incidents, or improvement actions, in the case of widespread non-compliance.
- c) The submission should be sufficiently clear so that it can be easily understood. If anything is unclear or ambiguous this can be raised as an issue. Minor points of English (grammar and spelling) may be identified but should not be given undue weight in the review. The whole submission reviewer will raise this as an issue if necessary.
- d) Referencing out to procedures in Safety Certification and Authorisation submissions is perfectly acceptable providing such referencing is sufficiently clear. If a referenced procedure or standard is felt to be significant and needs examination this can be requested as part of the review process. It is preferable to have clearly referenced supporting documents than levels of excessive detail in the submission.
- e) London Underground should only raise issues concerning aspects of the submission that have a bearing on its own infrastructure or ability to perform its health and safety duties. Network Rail should raise issues specific to the National Rail network.



- f) Professional judgement should be used at all times. These question sets are not exhaustive or definitive; issues not covered can still be raised. However, issues should not be raised merely to prove that the document has been reviewed. Further guidance can be obtained from the Health, Safety and Environment, Safety Certificate Manager.

All issues raised through this process will be transferred to the review log by the designated reviewer. The designated reviewer will filter issues to determine that they are valid for London Underground to raise as infrastructure manager. Valid issues will be grouped together where possible and will either be transferred to the issues log that is sent to Office of Rail Regulation.

3.2 Review

3.2.1 These question sets will be reviewed:

- by the designated reviewer on completion of each Safety Certification / Authorisation review for existing operators
- by the designated reviewer in consultation with the Health, Safety and Environment, Safety Certificate Manager in **advance** of submissions from new operators
- as part of the five year review of the *London Underground* Safety Certification and Authorisation; and
- following any revision to the *Railways and Other Guided Transport Systems (Safety) Regulations (ROGS)*.

3.3 Question Sets

ROGS Regulations Reference	Question	Submission Reference	Compliant Y/N & Comments
Sch 1 (1)	Is the duty holder clearly identified and the relationship with any holding company clearly defined?		
	Is it clear that the duty holder is ultimately responsible for compliance with Railways and Other Guided Transport Systems (Safety) Regulations?		
Sch 1 (1,2)	Is the operation described sufficiently to determine what the risks arising from it are?		
	Does the submission describe the extent and frequency that an operator operates over or interfaces with the London Underground Network?		
	Does the submission explain how many passengers are carried?		
	Does the submission identify the type of operation? (e.g. passenger / empty stock / maintenance / freight) and class / classes of trains used on the London Underground Network		



ROGS Regulations Reference	Question	Submission Reference	Compliant Y/N & Comments
	Does the submission explain whether trains are crew or one person (driver only) operated?		
	Does the submission state the maximum speed of trains whilst on the London Underground Network?		
	Does the submission describe train protection systems employed whilst on the London Underground Network? Are they compatible with London Underground's?		
	Does the submission describe the role of London Underground station staff (if any) for the operators train operations, particularly during degraded / emergency operations?		
	Does the submission describe the arrangements for repair and maintenance of rolling stock?		
	Does the submission make it clear whether or not the operator carries dangerous goods?		
	Does the submission make it clear whether or not the operator hires in train crew?		
	Does the submission make it clear which stations operated are served by London Underground trains?		
Sch 1 (1(b) & 2(d))	Does the submission describe a suitable and sufficient risk assessment process?		
	Does the submission describe the suitable and sufficient processes used for carrying out and reviewing risk assessments?		
	Do the risk assessment processes described appear capable of identifying all significant hazards, from local to company wide hazards?		
	Do the risk assessment processes identify risks to health and safety of all persons affected by the undertaking?		
	Are the risk assessment processes proportionate to the operator's responsibility? If cost benefit analysis is used is there still sufficient qualitative emphasis in decision making?		
	Does the submission state any assumptions made and data used in the risk assessment process?		
	Are the risk assessment processes described compatible with London Underground's?		
	Does the submission identify the post responsible for overseeing / maintaining the risk assessment process?		
	Does the submission identify the posts responsible for carrying out risk assessments?		
	Is it clear from the submission that appropriate employees are involved in the risk assessment process? ¹		
	Does the submission identify the competencies for the posts maintaining/carrying out risk assessments?		

¹ This would include line management, health and safety professionals and health and safety representatives.



ROGS Regulations Reference	Question	Submission Reference	Compliant Y/N & Comments
	Does the submission explain how the operator determines whether risks are tolerable?		
Sch 1 (2(d))	Are the risk assessment findings realistic and used to inform safety management?		
	Does the submission record the significant findings?		
	Does the submission define and rank the significant?		
	Do the risk assessment findings identify groups of people most at risk?		
	Do the risk assessment findings identify risks to London Underground staff and other staff who work on or about the London Underground Network?		
	Do the risk assessment findings take existing controls into account?		
	Do the risk assessment findings make it clear who is responsible for each control (i.e. operator/maintenance company/infrastructure controller?)		
	Do the risk assessment findings include controls specific to London Underground infrastructure or London Underground operations where appropriate?		
	Do the risk assessment findings include measures to be taken if controls fail?		
	Does the submission explain what the operator does with risk assessment findings?		
	Does the submission contain an explanation whether the operator feels that risks are as low as reasonably practicable (ALARP) and if so why?		
Sch 1 (1(a))	Are the arrangements for planning, organisation, control, monitoring and review of the control measures listed in the risk assessment findings contained in the submission?		
	There are no specific criteria to determine this other than those responsibilities for controls are discussed in relevant sections of the case along with arrangements for implementation, monitoring and review. ² In all cases it should be clear that benchmarks are used to determine the adequacy of the controls.		
Sch 1 (2)	Is the operator's safety management system sufficient to ensure that relevant statutory provisions are complied with and risks controlled?³		

² See questions relating to Schedule 1 Paragraphs 1 and 2.

³ For further specific requirements relating to this criteria see the questions relating to Schedule 1 Paragraph 192, 193 and 194.