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Issue:	2
Date:	3 March 2012
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REPORTING & INVESTIGATION MANUAL

NETWORK RAIL AND NATIONAL SAFETY AUTHORITY (ORR) INTERFACE AND LIAISON ARRANGEMENTS

1 Purpose

To provide for the management of the interface and liaison arrangements between Network Rail and the National Safety Authority (the Office of the Rail Regulator (ORR)), in order that:

a) key contact details (senior and local) are identified within Network Rail and the ORR and these are widely communicated and made available;

b) appropriate action is taken so as to avoid – wherever possible – Prohibition and Improvement Notices and/or the risk of further enforcement action (e.g. a summons); and

c) there is an appropriate awareness and discussion, and sharing of lessons learnt, of concerns raised by the ORR, at Network Rail's Tactical Safety Group (TSG).

2 Scope

This module applies to those health and safety related interfaces and liaison meetings between Network Rail and the ORR identified in the ORR Interface Matrix.

NOTE 1 *The ORR's duties as the National Safety Authority will bring them into contact with many people in the company and Network Rail is committed to a professional and positive relationship with the ORR.*

NOTE 2 *To help deliver a constructive relationship, a regular and structured set of liaison meetings has been established between ORR and Network Rail, the details of which are contained in the ORR Interface Matrix which is available on Network Rail's Portal (click here).*

3 Reference documentation

NR/L3/INV/3001/RIM116	Reporting of and responding to enforcement action
	ORR Interface Matrix

4 Definitions

Improvement Notice – For the purposes of this module only this relates to a notice issued by the ORR for contravention of one or more statutory provisions and requiring remedial action to be taken within a period of time specified in the Notice.

Lead manager – For the purposes of this module only, the lead manager is the Network Rail manager chairing an ORR interface and liaison meeting.

Nominated action owner – For the purposes of this module only, this is the Network Rail manager identified and advised by a lead manager that they should progress an issue raised at an ORR interface and liaison meeting and any associated action(s).

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ORR Interface Matrix – The framework for routine liaison arrangements between Network Rail and the ORR.

Prohibition Notice – For the purposes of this module only this relates to a notice issued by the ORR where it considers there is a risk of serious personal injury, regardless of whether a statutory provision has been contravened, and directing the cessation of the relevant activities either immediately or from a date specified in the Notice.

5 Interface and liaison arrangements

5.1 Agreed points of contact

5.1.1	Arrangements shall be in place to identify, on behalf of Network Rail, the senior and local level contacts for inclusion in the ORR Interface Matrix.	Head of Corporate Assurance & Accident Investigation
5.1.2	When collated, arrangements shall be made for the ORR Interface Matrix to be made available on the Network Rail Portal.	Head of Corporate Assurance & Accident Investigation
5.1.3	For day-to-day liaison with the ORR, the Route Safety Improvement Manager shall be the specific point of contact for each Network Rail route.	Route Safety Improvement Manager
	NOTE 3 *It is not expected that all ORR issues will be dealt with by the Route Safety Improvement Manager (RSIM), and Network Rail will continue to encourage the ORR to liaise directly with other Network Rail functions as appropriate, but it is expected the RSIM will be copied any correspondence and emails, for information.*	
	NOTE 4 *The RSIM needs to have an overview of the ORR activity in their area/route, so that key issues, trends, etc. can be identified to the relevant managers as warranting particular attention.*	

5.2 Formal meeting arrangements

5.2.1	Arrangements shall be made for an agenda to be prepared and forwarded to attendees, preferably in advance of the meeting.	Lead manager
	NOTE 5 *Details of the objectives for Level 1 and Level 2 interface and liaison meetings with the ORR and, thereby, the items to form a standard agenda, are included in Appendix A.*	

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5.2.2	Arrangements shall be made for minutes of the meeting to be made and for these to record any agreed actions. *NOTE 6* *See clause **6** for the requirements for the minutes of the meeting.* *NOTE 7* *Discussions might be held with the ORR at meetings other than those mentioned in the ORR Interface Matrix meeting structure, e.g. at a very local level during an inspection or visit. Whilst these types of discussions are undesirable, feedback mechanisms will need to be put in place for employees to appraise managers of any issues raised by the ORR during these discussions. When requesting meetings ORR inspectors should be made aware of the agreed interface arrangements and asked to seek advice and/or guidance from the relevant ORR lead contact (as shown in the ORR Interface Matrix).*	Lead manager
5.2.3	Arrangements shall be made to: a) identify any issues raised at a ORR interface and liaison meeting that are outside of their geographical area or affect another function/business unit and, b) following the meeting, identify and advise the relevant manager(s) that they should progress the issue and any associated action as the action owner. *NOTE 8* *If ownership cannot be easily identified, then the lead manager should escalate the issue up the functional management hierarchy such that the issue is not lost.* *NOTE 9* *If concerns are raised locally that relate to national or industry policies these should be directed to the relevant function, via the agreed point of contact identified in the ORR Interface Matrix.* *NOTE 10* *Sharing of best practice and lessons learnt should be a two-way process between Network Rail and the ORR; appropriate dissemination and escalation should be encouraged through the Level 1 and Level 2 liaison meetings.*	Lead manager
5.2.4	Where the ORR indicates its intention to serve an enforcement notice, the requirements of clause 5 of module NR/L3/INV/3001/RIM116 shall be observed. *NOTE 11* *When enforcement action is served in relation to an issue raised at an ORR interface and liaison meeting an understanding needs to be gained as to whether it was unforeseen or inevitable, i.e. what action was actually taken, and what action should have been taken to have prevented the enforcement action being served?* *NOTE 12* *NR/L3/INV/3001/RIM116 includes the requirements for reporting and responding to enforcement action that is served on Network Rail.*	Lead manager

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