

FOC sector reports and responses

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40898 'Unsafe' methods used to clean wagons and cleaners not having PTS

A reporter is concerned about methods used by cleaning staff when cleaning out wagons owned by DB Schenker at a Peak Forest depot. The cleaning staff place ladders against the wagons and climb these in order to jet wash the inside. The reporter feels this method is unsafe as the ladders quite often have an unstable footing, and if the train were to move whilst being cleaned there is the potential for staff to sustain serious injuries. It is believed that this method is being employed as there is currently a shortage of wagons, as a result the wagons need to be cleaned out quickly in order to be used on another job. The reporter believes there to be a 'safer' method whereby cleaners wear safety harnesses and use scaffolding in order to clean the wagons.

In addition to this cleaning staff are not PTS trained. The reporter has been informed that as staff have a radio to communicate with the driver and receive a job brief they do not need PTS training.

For RSSB:

- Do cleaning staff need PTS training to carry out the work described above?
- Does the *Rule Book* set out a safe method of working when cleaning out wagons in a depot?

For DB Schenker:

- Is the above method for cleaning wagons considered 'safe'?
- Are there any precautions DB Schenker would recommend for this kind of work?

Response from RSSB

From the description of the work undertaken, there seems to be little doubt that the staff involved in cleaning the wagons must for at least part of the time be 'on or near the line', that is to say they are within three metres of the nearest rail of any line.

Section 3.2 c of module G1 of the Rule Book sets out conditions that must be met in order to go 'on or near the line', the first of which is that the person must have been passed as competent in personal track safety (PTS). This is the only one of the four conditions described that is relevant to the task described. However, the *RSSB Rule Book* is only mandated on Network Rail managed infrastructure.

In answer to the second question, *Module T10 of the Rule Book* sets out the arrangements for protecting personnel when working on rail vehicles. There are a number of different arrangements, which apply depending on how the line or siding concerned is categorised. For example whether the siding is part of a depot, whether it is a maintenance or repair siding not part of a depot, or whether it is a running line, platform line or a siding that is not a maintenance or repair siding. Before any work can start, the system of protection appropriate for a siding or running line in that category must be set up. Whilst the details vary, this always involves precautions against two main hazards, firstly the movement of vehicles whilst they are being worked on, and secondly other movements entering the siding and then coming into

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contact with or moving the vehicles being worked on. Protection of this nature is required before any work takes place on the outside of a vehicle, or before ladders are used inside a vehicle. Again however, the RSSB *Rule Book* is only mandated on Network Rail managed infrastructure.

Response from DB Schenker

DB Schenker Rail (UK) Construction Business Segment was asked by the customer about cleaning options for the wagons. They considered wagons to be contaminated with a particular type of product and that they required cleaning before another type was loaded. There is no shortage of wagons but in order to keep asset utilisation high and maintain excellent customer service, a reputable contractor was asked to put forward a proposal for the cleaning process.

A safe system of work with risk assessment was presented, and in the three months the work took place the contractors were protected at all times by DB Schenker staff on DB Schenker infrastructure. No personal accidents or near misses were reported and a review of this method was planned. In the meantime a more efficient wagon type has been found, and this process has ceased.

Precautions were in place by both contactor and DB Schenker, however, a review will be undertaken by all concerned if this process is required again in the future.

40854 Walking route, lights and electrical fault at Mossend depot

A reporter has highlighted three separate safety concerns about Freightliner's Mossend depot.

1. Walking route and access road

The reporter states that the walking route and access road into the depot at Cardean Road from Holytown Road is unlit, full of deep pot holes with no proper path for pedestrians. During icy weather this is dangerous as there are slip, trip and fall (STF) hazards present and no salt is being put on this road. The reporter believes that as Freightliner have stated that this road is the official route to the depot, they are responsible for ensuring staff are able to arrive and leave safely from the depot.

- Could Freightliner, DB Schenker and Network Rail clarify exactly who is responsible for maintaining this road?
- Could the responsible party address the STF hazards present on this access route?

2. Tower lights at Mossend sidings

The reporter states that the tower lights at Mossend sidings have not worked for quite a few years. As there is no flood lighting, staff are using hand lamps when carrying out coupling and locomotive work. Walking around the sidings is also difficult as the tower lights should light the entire sidings, again presenting STF hazards.

- Could Freightliner, DB Schenker and Network Rail state whether they are responsible for fixing the tower lights?

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- Could the responsible party fix the lights to ensure staff can carry out their work safely?

3. Electrical fault

The train crew accommodation building has had problems with the power supply for the past couple of years, with electricity tripping out at least three or four times a month. When this happens, there is no lighting, heating and hot water, the fire alarm system is disarmed and all equipment reliant on an electricity source (such as computers and phones) do not work. This is particularly problematic for night workers as no emergency lights come on in place of the main ones. The problem started after an arson attack on another building which houses the electricians for the train crew accommodation. Since then, the electricity supply has run off a generator and every time there is a cut, the trip switch is simply reset but the actual problem is not addressed.

- Since there has been an increased frequency of tripping in the past few months, the reporter would like to see Freightliner take steps to find a long term solution.

Response from DB Schenker

The lighting system at Mossend has suffered two significant failures – failure of incoming electrical supply and wiring failure to some of the lighting towers. At DB Schenker a risk assessment has been undertaken and staff provided with suitable hand lamps to enable them to undertake their duties safely.

Long term, the repairs to the lighting towers will be subject to an investment proposal with the board.

Response from Freightliner

1. Walking routes and access road - this road does not belong to Freightliner nor any other train operating company. I believe the road belongs to the Scottish Development Agency who in my opinion do not take any responsibility for anything happening on the road as I myself have tried to complain about unsafe acts committed by private businesses on the road. I do not know whether we have any rights to carry out repairs on the road as we have access rights only, although over the years we have had to carry out repairs and this includes recent actions to fill in the holes etc. on the road.

With regards to salting in winter conditions I can assure you that the car park and pathways are indeed salted as this is done by myself and the senior drivers standards manager.

2. Tower lights at Mossend - since joining Freightliner approx five years ago the tower lights have not been working, and only until recently after many years of debating the responsibility of the tower lights at our liaison group meetings with Network Rail and other companies it has only just been established that this does indeed lie with Network Rail.

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However I further believe that until the electrical situation is resolved at Mossend there will be an issue with the power supply although I will raise this again with them for action.

3. Electrical fault - this has been an ongoing saga since a fire at Mossend approx two and a half years ago burnt out the electrical power supply facility for not only our depot but the supply for DB Schenker. Since then we have been running off a generator and only recently we suffered a few problems with the circuit breakers in the buildings tripping, however in the last few weeks after some minor repairs it seems to be rectified.

40920 Safety concerns across maintenance yards and fuel points

A reporter has contacted CIRAS with numerous safety concerns about maintenance yards and fuel points in the Crewe, Ipswich, Leeds and Southampton areas.

The first concern surrounds the adverse weather conditions currently affecting these locations. The reporter highlights that walkways in the maintenance yards and fuel points are left un-gritted, posing slip or fall hazards for staff. The reporter would like to see all areas gritted, not just where work is carried out.

The second concern regards the reporter noticing that some fitters are being asked to sign off safety critical work (for example, TPWS brakes) without the necessary qualifications to do so. The reporter questions what qualifications are needed to sign off such work and suggests that Freightliner inspect that the fitters hold the appropriate qualifications for the tasks they are carrying out.

Furthermore, the reporter would like to clarify how often drug and alcohol tests should be carried out by an external body?

Response from Freightliner

We note receipt of report 40920 the contents of which have been considered and comments invited from the management concerned.

Speaking on behalf of Freightliner Maintenance Limited, which have responsibility for the site at Midland Road, Leeds and the fuel point at Crewe, senior management advises that in adverse weather all main walking routes are gritted and regularly cleared of snow. Due to the nature of our business, staff can be required to attend locomotives and wagons to undertake repairs at many different locations within the sites and it is not practicable to treat all areas of a large location. During the recent cold weather a national shortage of gritting material meant prioritisation had to be considered when using a scarce material and areas of higher usage were concentrated on.

The management at Ipswich advise that the car park stairs and walkways to the buildings were gritted, normally during the night shift. Areas like the routes down to the loco holdings that are on ballast will not be gritted. A salt bin and a small shovel

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can be found in the car park at Ipswich so that any person concerned about the state of the stairs or walkways could carry out additional gritting.

At Southampton we have a contract with a local gritting company who proved to have adequate supplies of grit during the recent cold spell to carry out the clearing work contracted to do. During the inclement weather situation the terminal was gritted at regular intervals, on some occasions several times a day. Areas that could not be reached by the gritting lorry were gritted manually by terminal management. These included areas highlighted by the local safety representatives.

With regards to comment on work being carried out by fitters, only persons who have been assessed in accordance with *Freightliner Group standard MIE 0743 'Competency Policy and Assessment Procedure'* and deemed competent are permitted to sign off safety critical work. We are aware that in the past staff competency has expired and in such circumstances staff have been instructed not to sign off safety critical work until they have been reassessed and deemed competent. This was raised with local management last year when it became apparent at one of our sites there was a non-conformance.

Freightliner Group's policy on drugs and alcohol is set in our document *PSD 0802* and is compliant with the requirements of the *Transport and Works Act 1992*, the *Railway Safety Critical Work Regulations 1994* and *Railway Group Standard GE/RT8070 – Drugs and Alcohol*. All testing is carried out by a competent third party, currently we use BUPA Occupational Health. The standard states that random unannounced testing should be carried out annually on 10 per cent of relevant staff at a location. Within Freightliner Maintenance Limited 17 per cent of staff were randomly screened last year. I trust this information will be of assistance to the reporter.

40875 Lack of Personal Needs Breaks (PNBs) and facilities

CIRAS has received a similar report to 40793, concerning the lack of personal needs breaks (PNBs) and access to adequate facilities.

The reporter states that some diagrams, for example, are 12 hours long and staff work this shift with virtually no breaks at all; that is they are constantly driving. Although the rosters show that PNBs are scheduled, in actuality drivers end up having short breaks, especially when facilities are far away. Walking to and from the facilities, disposal and train preparations significantly reduces the break time – the actual resting time on a 45 minute break is more like 20 minutes.

The lack of facilities away from depots compounds the issue. According to the reporter, a break should be in a clean, dry location, with access to a toilet, a microwave and a kettle, away from the working environment. This is only available when breaks are taken at a depot however.

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The reporter is concerned that mistakes will be made because drivers are not refreshed. The lack of actual break time taken by drivers means that fatigue levels could increase and lead to lower concentration levels.

Although managers are aware of this issue, the reporter states that nothing appears to have changed. Drivers do not feel they can raise their concerns for fear of recrimination – the reporter states that when drivers have insisted on taking full breaks, the management response indicated that drivers will be reprimanded if trains are delayed as a result.

Freightliner Heavy Haul are asked to address the following points:

- Freightliner policy is that a break should be taken between the second and ninth hour of driving. The reporter would like Freightliner to consider revising this policy so that it is closer to or in line with other companies with a break to be taken between the second and fifth hour of driving;
- as the reporter states, drivers are unable to take full and adequate rest breaks and will not get a full break if they ask for one. Consequently, the reporter would like to know if a driver will be held responsible for an incident occurring due to fatigue; and
- could Freightliner outline the plans that are in place to resolve these issues?

Response from Freightliner Heavy Haul

Freightliner Heavy Haul are in discussions with ASLEF regarding what constitutes a Personal Needs Break (PNB) facility. The issue has been raised to executive level following business council discussions. The timings of breaks between second and ninth hours are clearly defined in the drivers' terms and conditions and Freightliner Heavy Haul have no plans to change this. Many diagrams are currently being reviewed to ensure that drivers do not have a spoilt PNB but if any drivers should have difficulty in taking a PNB they must report this to the local line manager. If they do not receive a satisfactory answer then they should contact the general manager of operations or the professional head of operations.

All base rosters are run through the Fatigue Index to ensure compliance with the company standard on rostering of safety critical workers.

40888 Health and safety concerns at Hunslet yard

CIRAS has received a report about a number of health and safety concerns at Hunslet yard, Leeds.

The first concern is about the inadequate mess facilities on site. The facilities have no running water, no first aid kit, no eye baths and no fire extinguishers. Staff are provided with wet wipes to clean their hands but these are insufficient according to the reporter, as they remove little of the dirt and grease on their hands. In addition to this there are no toilet facilities at the yard and staff wishing to use the toilet have to walk 20 minutes to the Midland Road depot.

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The second concern is about lighting at the yard. The reporter comments that of the 16 tower lights on site, only about 7 of them work. There is also a tower at the south end of the yard that doesn't have any lights on it at all, creating pitch black working conditions, thereby presenting slip, trip or fall hazards.

The final concern is about access to the yard. The access gate in and out of the yard is locked at all times, the reporter appreciates this is for security purposes but questions what would happen in an emergency situation. Staff often work alone in the yard and if they were to fall and injure themselves the emergency services wouldn't be able to gain access to the yard.

Could Freightliner please comment on:

- the mess facilities at Hunslet yard and consider improving these conditions; and
- any plans to repair lighting at the yard and install lights on the tower at the south end?

Also:

- has Freightliner risk assessed keeping the yard locked at all times, even when staff are present?

Response from Freightliner

The mess facilities at Hunslet yard are not suitable or sufficient and all facilities at Freightliner Midland Road depot are made available to all safety critical staff working in Hunslet yard. Following previous reports at Hunslet yard for unsafe working, a party of local management, a union elected safety rep and an ORR representative carried out a safety visit and declared the site safe. Freightliner operate in several sidings across the network that are not lit and that is why all staff are issued with a torch.

The gate has to be locked at all times due to the risk of members of the public trespassing and also the risk of fly tipping which is common to the area. The local council have been alerted to this. All members of staff are issued with a mobile phone to provide them with the ability to contact any of the emergency services should the need arise.

40923 Backward shift rotations and late alterations causing fatigue

A GB Railfreight driver is concerned about the perceived lack of control measures that are in place to limit the effects of fatigue in current patterns of rostering. Backward shift rotations - for example, where night turns are followed by morning ones - are said to be particularly difficult for drivers who do not receive 24 hours rest.

The reporter's main concern is that robust control measures introduced a few years ago after a couple of SPADs and a collision appear to have been removed. In particular, the reporter highlights the following measures from May 2008 which are considered to be particularly safety critical:

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- booking on times - no turns of duty will sign on between 00:00 hours to 04:00 hours;
- night turns of duty - all night turns of duty must cease safety critical work or road vehicle driving by 08:00 hours;
- moving from night to early turns - there must a minimum of 24 hours rest between signing off and signing on again; and
- resuming work after annual leave - staff must not be booked on duty before 08:00 hours on the day following annual leave.

Drivers were never officially briefed on the control measures, according to the reporter, but the minimum rest period has effectively now been reduced to 18 hours. Late alterations made to base rosters are said to be generating more fatigue. The concern is that shift patterns are becoming rather erratic – night, morning and afternoon turns can all be rostered within a seven day period. It is pointed out that base rosters themselves will be compliant with the appropriate rest periods, but what happens in reality can depart substantially from these.

The reporter would like to see GB Railfreight reinstate the original control measures listed above to control the safety risk still believed to be present – is this possible?

Response from GB Railfreight

There has been no relaxation in the codes of practice as mentioned by the reporter. The codes were reviewed at a recent Union liaison meeting in January and no issues were raised.

A further voluntary addition with regard to returning from leave was made. Fatigue control measures are constantly monitored and no incidents have occurred that have resulted in any breach of fatigue limits as a result of erratic rostering according to our records.