

Safety Management System Modules

Element 23 – Management of Notifiable Occurrences

What and Why

Details on how to manage prescribed notifiable occurrences can be found in Regulation 57, and in Schedule 1 of the Regulations. There are a number of obligations that must be demonstrated by an accredited rail transport operator, and these also link with several other elements of the SMS, including, but not limited to, drug and alcohol management, corrective actions, and performance measurement.

For ease, references are included here, and details of the obligations will be included in each relevant element.

A list of prescribed notifiable occurrences is included at **Appendix A**.

The obligations for all accredited operators are to have procedures in their SMS that:

- describe how they manage the scene of a notifiable occurrence
- advise how evidence is to be preserved;
- include how and when to report notifiable occurrences;
- provide instructions on how to determine which occurrences to investigate and how investigations are to be held.

Larger more complex operators will often split this element into two (2) components – Notifiable Occurrences and Incident Coordination.

Where operators share a network managed by another Rail Infrastructure Manager (RIM), they may be required under the conditions of their Access Agreements to adopt and comply with the RIMs procedures for incident coordination.

Regardless of where operators operate, they have an obligation to self-report all prescribed notifiable occurrences. That is, when operating on a RIMs network, two reports should be received by ONRSR – one from the RIM and one from the operator.

Where an operator is a RIM and an operator, *only one report* is required.

How

Depending on the category of occurrence, the initial report may be verbal with a written report, or only a written report.

A procedure has been included in the SMS that describes how notifiable occurrences are managed, that includes information on:

- What a notifiable occurrence is;
- The details of the categories of occurrence;
- The process to report Category A and Category B occurrences, including timeframes to report both;
- The 24/7 contact number for Category A occurrences and Prescribed incidents;
- Details for reporting are included on noticeboards;
- Representatives who report occurrences understand the process to report them to ONRSR;

- Include a mechanism for occurrence reporting within the operations to prevent duplication of reporting – such as an incident reporting matrix;
- When drug and alcohol testing is required;
- Who to contact to arrange D&A testing post incident;
- How and when to secure the incident site;
- How to determine if an investigation is required;
- The process to investigate an occurrence;
- the appropriate skills required by investigators to conduct impartial just culture investigations;
- the format and content of investigation reports;
- To whom the results are reported;
- How corrective actions are prioritised; and
- How corrective actions are tracked until resolved.

The organisation is receiving and acting on incident and near-hit reports received from all personnel and stakeholders.

An incident register/list is kept up to date. An example spreadsheet is included as Appendix B.

Staff are trained and aware of their internal reporting responsibilities (and external if they are to report to ONRSR). For example, induction includes going through the process of what that person must do if there is a notifiable occurrence.

Procedures for determining what incidents will be investigated by the operator, preserving evidence and determining who will conduct the investigation.

A nominated liaison with external investigators is determined, if necessary.

Corrective actions are registered and followed through.

Procedures specify who is to receive the investigation report and/or present to the Board/Executive Committee.

All investigation statements and information remain confidential, any learnings from the investigation shared across the organisation, and a just (no blame) culture exists across the operations.

Executive Committee/Board reports include details of notifiable occurrences, as well as a status on any actions by ONRSR and any corrective actions that are ongoing or completed;

A culture exists where Rail Safety Workers (including volunteers and contractors) remain on site until all post incident actions such as testing, statement writing, and initial interviews are completed.

A training course for statement writing has been developed and delivered to relevant people.

New risks or emerging trends established as part of investigations are reflected in the organisations risk register and associated risk assessments.

Who

All operators are expected to review all notifiable occurrences and decide on which they will investigate to and identify corrective actions to prevent re-occurrence.

Operators may elect to have a single point of contact, who is responsible for reporting occurrences to ONRSR, and this may be part of job/role descriptions.

Investigators have the necessary skills and tools to conduct a root cause investigation.

ONRSR may ask an operator to provide a copy of the investigation report and follow up the implementation of corrective actions.

The Australian Transport Safety Bureau (ATSB) or ONRSR (or both) may decide to conduct their own investigations, in addition to the operators;

All Rail Safety Workers understand their post incident obligations in relation to drug and /or alcohol management.

All Rail Safety Workers understand the process that is to be followed after a notifiable occurrence.

All Rail Safety Workers have received appropriate training in statement writing.

Any reports requested by ONRSR are endorsed by the Executive Committee/ Board prior to submission.

All persons involved in the occurrence provide written statements about their own experience of the occurrence.

When

Those notifiable occurrences shown as Category A or Prescribed Incidents (See Appendix A) must be immediately notified by telephone to the ONRSR on **1800 430 888** with a follow up written notification to the ONRSR within 72 hours of becoming aware of the incident.

Drug and alcohol testing is to be conducted for prescribed occurrences within three (3) hours of the occurrence.

Those shown as Category B must be notified in writing to the ONRSR within 72hrs of becoming aware of the incident.

Investigation interviews are conducted as soon as possible to ensure all details are captured.

List of relevant documents (internal)

Element 5 - Management Responsibility accountabilities and authorities

Element 9 – Safety Performance Measures

Element 11 – Corrective Actions

Element 16 – Risk Management

Element 24 – Rail Safety Worker Competence

Element 25 – Security Management

Element 26 – Emergency Management

Element 28 – Drug and Alcohol Management

Procedure for Notifiable Occurrences

Investigation report template
Position /Role Descriptions
Training /Competency matrix
Safety induction
Corrective Actions procedures
D&A Management Plan

Links (external)

[ONRSR – Guideline – Small isolated line heritage operations – Safety Management System \(SMS\)](#)

[ONRSR Website – Reporting a Notifiable Occurrence](#)

Appendices

- A. List of Notifiable Occurrences (Regulation 57)
- B. [Example Notifiable Occurrence Spreadsheet](#)

Appendix A – List of Notifiable Occurrences (Regulation 57)

(a) Any of the following notifiable occurrences is a Category A notifiable occurrence and **MUST BE NOTIFIED AS SOON AS POSSIBLE TO ONRSR:**

- (i) an accident or incident that has caused death, serious injury or significant property damage;
- (ii) a running line derailment;
- (iii) a running line collision between rolling stock;
- (iv) a collision at a level crossing between rolling stock and either a road vehicle or a person;
- (v) a suspected terrorist attack;
- (vi) an accident or incident involving a significant failure of a safety management system that could have caused death, serious injury or significant property damage;
- (vii) any other accident or incident likely to generate immediate or intense public interest or concern;

(b) Any of the following Prescribed incidents **MUST BE NOTIFIED AS SOON AS POSSIBLE TO ONRSR:**

- (i) fatalities not as result of suicides or suspected suicides;
- (ii) serious injuries other than as a result of a slip, trip or fall;
- (iii) running line collisions between rollingstock;
- (iv) running line derailments (except road/rail vehicles);
- (v) collisions at level crossings between rolling stock, road vehicles or pedestrians;
- (vi) Signals Passed At Danger (SPAD A1, A2, A4, A5, B4) ¹;
- (vii) Light Rail or Tram Authority Exceeded (LRTAE A1, A2, A4, A5, B4) ²;
- (viii) serious breach of network rule (reporting requirements classification 3.10.5) resulting in, or in relation to which there was a reasonable possibility of, an impact between:
 - Rolling stock and persons conducting track work
 - Rolling stock and equipment associated with, or being used for, track workMoveable plant, machinery or equipment and persons within an area in which track work is being conducted. *

(c) Any of the following notifiable occurrences is a Category B notifiable occurrence (unless that occurrence is also a Category A notifiable occurrence):

- (i) a derailment, other than a running line derailment;
- (ii) a collision involving rolling stock, other than a collision described in paragraph (a)(iii) or (iv);
- (iii) an incident at a level crossing, other than a collision described in paragraph (a)(iv);

¹ While these incidents are Category B incidents, they are immediately reportable as prescribed incidents.

² Refer to the [Reporting Requirements for Notifiable Occurrences](#) for further clarification of SPAD and LRTAE classifications

- (iv) an incident in which a vehicle or vessel strikes an associated railway track structure;
- (v) the passing of a stop signal, or a signal with no indication, by rolling stock without authority;
- (vi) an accident or incident where rolling stock exceeds the limits of authorised movement given in a proceed authority;
- (vii) a rolling stock run-away;
- (viii) a failure of a signalling or communications system that endangers, or that has the potential to endanger, the safe operation of trains or the safety of people, or to cause damage to adjoining property;
- (ix) any slip, trip or fall by a person on railway premises;
- (x) a person being caught in the door of any rolling stock;
- (xi) a person suffering from an electric shock directly associated with railway operations;
- (xii) any situation where a load affects, or could affect, the safe passage of trains or the safety of people, or cause damage to adjoining property;
- (xiii) an accident or incident involving dangerous goods that affects, or could affect, the safety of railway operations or the safety of people, or cause damage to property;
- (xiv) any breach of a network rule;
- (xv) any breach of the work scheduling practices and procedures set out in the rail transport operator's fatigue risk management program;
- (xvi) the detection of an irregularity in any rail infrastructure (including electrical infrastructure) that could affect the safety of railway operations or the safety of people;
- (xvii) the detection of an irregularity in any rolling stock that could affect the safety of railway operations;
- (xviii) a fire or explosion on, in, or near, rail infrastructure or rolling stock that endangers the safety of railway operations or the safety of 1 or more people, or causes service terminations or track or station closures;
- (xix) any incident on railway property where a person inflicts, or is alleged to have inflicted, an injury on another person;
- (xx) a suspected attempt to suicide;
- (xxi) the notification that a rail safety worker, when required to do so under the drug and alcohol management program of a rail transport operator, has failed to submit to a test in accordance with the testing regime set out in the operator's drug and alcohol management program;
- (xxia) the notification that a rail safety worker has returned a result to a test undergone by the worker in accordance with the testing regime set out in the drug and alcohol management program of a rail transport operator that suggests that the worker was in breach of the operator's drug and alcohol management program at a relevant time;
- (xxii) the infliction of wilful or unlawful damage to, or the defacement of, any rail infrastructure or rolling stock that could affect the safety of railway operations or the safety of people;
- (xxiii) a security incident associated with railway premises that affects the safety of railway operations, including an act of trespass, vandalism, sabotage or theft that could affect the safety of railway operations.