



INDEPENDENT  
TRANSPORT  
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*safe and reliable transport services for new south wales*



# IMPLEMENTATION OF THE NSW GOVERNMENT'S RESPONSE to the Final Report of the Special Commission of Inquiry into the Waterfall Accident

*Reporting Period: April - June 2005*



*ITSRR Quarterly Report Two*

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*Reporting Period:*  
**April - June 2005**

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Report Two

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TRANSPORT  
SAFETY AND  
RELIABILITY  
REGULATOR

4 August 2005

The Hon John Watkins MP  
Minister for Transport  
Level 34, Governor Macquarie Tower  
1 Farrer Place  
Sydney NSW 2000

Dear Minister

Pursuant to the announcement by the Premier on 22 February 2005, the Independent Transport Safety and Reliability Regulator (ITSRR) hereby provides for tabling in Parliament the second of its Quarterly Reports on the implementation of the Government's response to the recommendations contained within the Final Report of the Special Commission of Inquiry (SCOI) into the Waterfall Accident.

This Report reflects implementation progress from 1 April 2005 to 30 June 2005. The next report will reflect the progress made in the quarter 1 July to 30 September 2005. Each Quarterly Report will be provided one month after the completion of the quarter.

A handwritten signature in black ink, appearing to read 'Carolyn Walsh'.

Carolyn Walsh  
Chief Executive

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## ABBREVIATIONS

ATP	Automatic Train Protection
ARTC	Australian Rail Track Corporation
CRM	Crew Resource Management
D&A	Drug and Alcohol
ESA	Emergency Service Agencies
ITSRR	Independent Transport Safety and Reliability Regulator
MoU	Memorandum of Understanding
NROD	National Rail Occurrence Database
NRSAP	National Rail Safety Accreditation Package (also known as NAP or National Accreditation Package)
NTC	National Transport Commission
OH&S	Occupational Health and Safety
OTSI	Office of Transport Safety Investigation
PN	Pacific National Pty Ltd
RIC	Rail Infrastructure Corporation
RC	RailCorp
RMC	Rail Management Centre
RSRP	Rail Safety Regulators Panel
RSW	Rail Safety Workers
SCOI	Special Commission of Inquiry
SMS	Safety Management Systems
SMSEP	State Emergency Services Expert Panel



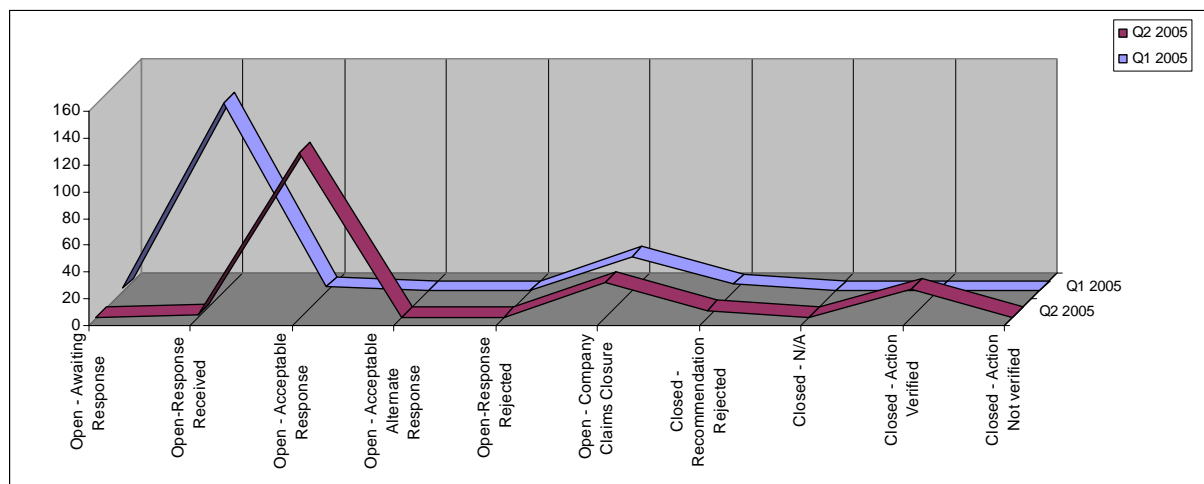
## EXECUTIVE SUMMARY

The Special Commission of Inquiry (SCOI) into the Waterfall Rail Accident released its Final Report on 17 January 2005. In accordance with the Commission's recommendations, the NSW Government agreed that the Independent Transport Safety and Reliability Regulator (ITSRR) should report quarterly on progress in their implementation. This is the second of those quarterly reports and reports the progress made between 1 April and 30 June 2005.

### Implementation Schedule

The current status of all of the safety actions, compared to their status in the previous quarter, is summarised below.

**GRAPH 1: PROGRESSIVE STATUS ALL RECOMMENDATIONS BY QUARTER**



As time progresses, it is expected that the peak will shift along the x-axis until all recommendations are closed. During this quarter, it can be seen that:

- ITSRR reviewed and accepted 120 responses from agencies in relation to their plans to implement recommendations;
- RailCorp and ITSRR claimed that 26 recommendations have now been claimed for closure (and are in the process of being verified); and

- ITSRR validated and closed out 21 recommendations, bringing the total number of closed recommendations to 26.

This second report includes specific target dates for all recommendations so that any slippage can be identified. In sum, the implementation schedule indicates that of the 177 recommendations (including sub-elements) in the Commissions report:

- 26 recommendations are now closed;
- 26 recommendations are claimed by agencies to be closed (but are yet to be verified);
- a further 84 recommendations will be implemented by December 2005;
- a further 20 recommendations will be implemented by December 2006
- 1 recommendation (the introduction of national communications technical standards) will not be implemented until around 2010.

The remaining 20 recommendations involve the development or review of certain railway standards and regulations. The National Transport Commission (NTC) has been asked by Australian Transport Ministers to develop by November 2005 a work program to address these issues. The timeframe for these recommendations are therefore noted as “interim” in the table at Appendix 3.

Implementing the NSW Government’s response to the Special Commission of Inquiry into the Waterfall Accident requires systemic reform to reduce the risk of accidents like Waterfall from occurring in the future. Satisfactory progress has been made in implementing the recommendations to date although there is still substantial work ahead.



## **Recommendations Verified and Closed**

Between 1 April 2005 and 30 June 2005, ITSRR verified and closed 21 recommendations, 5 of which are the responsibility of RailCorp and 16 are the responsibility of ITSRR.

The recommendations for which RailCorp is responsible are as follows:

- The Rail Management Centre (RMC) now has touch screen dial-up facility and a dedicated phone line directly to the Policy, Fire Brigade and Ambulance for use in the case of an emergency (Recommendations 2 & 27);
- RailCorp continues its random drug and alcohol testing program and its voluntary self-identification and rehabilitation process to assist workers with lifestyle choices (Recommendation 56);
- RailCorp has employed a Manager Information Systems to manage the collation of safety information within RailCorp (Recommendation 60); and
- ITSRR has appropriate permanent access to RailCorp's Intranet (Recommendation 62).

The 16 closed recommendations for which ITSRR is responsible are as follows:

- A National Standard for Medical Health Assessments for the rail industry is in place. RailCorp adopted the standard in February 2004; prior to it being made mandatory in NSW. RailCorp continues to progress towards full implementation of the standard. In the reporting quarter it undertook further 213 medical assessments of train drivers (122) and guards (91) bringing this to a total of 1733 tests representing. RailCorp's testing is conducted on a risk management basis; that is, processing the highest risk personnel such as drivers;

- RailCorp and ITSRR co-operate with national programs for the collection, collation, trend analysis and dissemination of safety critical information (Recommendation 64);
- ITSRR has confirmed that all ATSB accident investigation reports are made public (Recommendation 75);
- NSW shares data with the ATSB (Recommendation 77);
- OTSI is continuing to conduct rail accident investigations in NSW, but given the Commission's concerns about potential conflicts of interest, Legislation has been enacted to establish OTSI as a separate agency to ITSRR (Recommendation 78);
- Legislation was amended to provide for OTSI/Chief Investigator to initiate a rail accident/incident investigation (Recommendation 79);
- Legislation was amended to clarify that the ITSRR Chief Executive has sole accountability for managing ITSRR and administering rail safety legislation in NSW (Recommendation 113);
- ITSRR actively participates in National Reform processes but will not accept national reform proposals which produce less safe outcomes (Recommendation 120);
- ITSRR has a process in place to provide quarterly reports to the Minister for Transport on the progress made in implementing the Government's response to the SCOI final report (Recommendation 125 (a) (b));
- The Minister for Transport has committed to table in Parliament, each such quarterly report by ITSRR (Recommendation 126); and

- ITSRR continued implementing its industry education and awareness program on new standards for safety management systems required under the National Accreditation Package (NAP).

### **Recommendations Claimed to be Closed (but not yet verified)**

In addition to the 21 recommendations verified by ITSRR and closed during the quarter, RailCorp has advised that it has fully implemented a further 22 recommendations, which include:

- designation of a staff member in the Rail Management Centre to act as rail emergency management co-ordinator (Recommendation 3);
- provision of satellite phones to rail commanders at any emergency (Recommendation 7);
- review of RailCorp's Incident Management Framework outlining command and control procedures for rail emergencies (Recommendations 10, 11, 12, 13, 14, 16, 17, 18 and 22);
- improvements in passenger fleet defects reporting and management (Recommendations 47, 48, 49, and 51);
- revised methods of using simulators in training (Recommendations 66 and 67);
- proactive and integrated management of occupational health and safety, including broader public safety risks (Recommendations 85, 86 and 87);
- training of RailCorp staff in the location and operation of external emergency door release mechanisms (Recommendation 96); and

- establishment of a Safety Management System (SMS) which includes the 29 elements identified in the Commission's SMS Expert panel Report (Recommendation 123).

RailCorp has also advised that it has provided a DVD to emergency services to assist in the preparation of training for emergency services personnel which will enable those agencies to progress a number of recommendations related to emergency response procedures and training.

ITSRR is currently verifying these claims and will report on the outcomes of that process in the next quarterly report.

ITSRR is verifying closure of a further 4 recommendations for which it is responsible. These include:

- provision for random alcohol testing across the industry (Recommendation 54)
  - ITSRR commenced its own drug and alcohol testing program targeting in particular rail operators who do not have random testing as part of their drug and alcohol programs
  - RailCorp has a fully compliant random testing program in place.
- ensuring adequate field staff and audit processes (Recommendations 116, 117 and 119).

## **Progress on Remaining Recommendations**

Significant areas of progress on the remaining recommendations are outlined below:

- as reported in the last quarterly report, RailCorp has completed the installation of vigilance devices in all of its passenger trains (with the exception of the soon to be retired 600 class railcars that operate in the

Hunter Valley). However, the Commission recommended the installation of secondary engineering devices in **all** trains on the NSW network. ITSRR has commenced a project to determine whether it will require operators using any other rolling stock on the NSW system (eg track machines, heritage and freight operators) to review the effectiveness of their defences to driver incapacitation;

- RailCorp has replaced the signs on its rolling stock showing clearly where external emergency door release mechanisms are located. ITSRR is developing a standard to include this as a requirement for all passenger rolling stock on the NSW network;
- the NSW Minister for Transport, through the Australian Transport Council (ATC), has referred to the National Transport Commission (NTC) those recommendations of the Commission calling for the regulation of new standards in relation to railway rolling stock design and procurement, communications protocol and systems, train protection systems, data loggers, and safety management systems. The Minister also asked NTC to review recommendations 57 (d)-(f) to determine whether the recently introduced medical standards in rail effectively address these issues;

The NTC is a Commonwealth/State regulatory reform agency responsible for the development and maintenance of appropriate regulation of road and rail safety. The ATC has directed the NTC to report back to it by November 2005 on a proposed work program to address the Commission's recommendations relating to standards.

- RailCorp is progressing the roll out of its new Safety Management System, and will undertake a Systems Validation Audit between July and September 2005. ITSRR intends to complete an independent audit of the system by October 2005;

- rail safety legislation has been amended to provide for a regulation making power to mandate the interoperability of rail communications equipment in NSW;
- ITSRR finalised the configuration of its new electronic document management system, and will fully implement the new system in the next quarter; and
- RailCorp undertook an audit of its training programs to determine the extent to which they meet the requirements of recommendations from the Glenbrook Inquiry. The audit will be submitted to ITSRR for review during the next quarter.

## **Slippage**

ITSRR's quarterly reports on implementing the NSW Government's response to the Final Report of the SCOI into the Waterfall Rail Accident are required to clearly identify where there is slippage in the implementation of any of the recommendations in the report.

While the last report did not specifically call up target dates, ITSRR has identified two areas where it expected further progress during the June quarter:

- ITSRR expected RailCorp to provide the risk assessment by the end of June 2005. However, RailCorp advised on 9 May 2005 that it would not be able to meet this date but would submit the assessment by 29 July 2005. The extension was justified in ITSRR's opinion. Additional time was required to bring an international expert to Australia to oversee application of the proposed risk assessment methodology. This risk assessment has now been received and is currently being reviewed; and
- a delay in the introduction of a guideline by ITSRR with respect to mandatory drug and alcohol testing following an incident. The development of the guideline has thrown up some issues about how to

apply this in practice – both in terms of clearly defining which incidents require mandatory testing, and whether this can practically be done in all areas of the rail network – for instance where incidents occur in very isolated regions. However, we are working through these issues and are confident that the guideline will be released during the next quarter.

### **Next Quarter Priorities**

During the next quarter, ITSRR will continue its verification of those recommendations claimed by agencies to be closed.

It is also expected that agencies will complete implementation of the following recommendations during the September quarter:

- assessment and review of RailCorp's risk assessment for passenger evacuation from trains in the event of an emergency;
- further verification of the feasibility of indicative timeframes provided by RailCorp in respect to implementation of SCOI recommendations;
- verification of RailCorp's train maintenance program in respect to integration and tracking of defects reporting, recording and recertification;
- verification of RailCorp's risk management framework which seeks to ensure it has processes in place to systematically identify and assess risks on the network and put appropriate control measures in place to reduce or eliminate circumstances which might result in an accident;
- working with the National Transport Commission (NTC) to develop a work program to address the Waterfall recommendations referred to it for reporting back to the Australian Transport Council (ATC) in November 2005;
- the expansion of ITSRR's audit program to increase the number and scope of inspections during 2005 to include adherence to checking standardized communications protocols;



- the full implementation of ITSRR's electronic document management system; and
- a systems audit to verify integration of Occupational Health & Safety (OH&S) into RailCorp's Safety Management System.

## **METHODOLOGY**

This section briefly outlines the processes which ITSRR has instituted to develop and monitor the Implementation Plan for the Government's response to the SCOI Final Report into the Waterfall Rail Accident. Full details of these methods may be found in Appendix 1.

### **Implementation Plan**

ITSRR has reviewed the SCOI Final Report and determined action required to implement each recommendation in line with the Government's response and which company or agency has responsibility for that action. These expectations then formed the basis for determining whether the response put forward by a company or agency is appropriate to meet the recommendation and/or satisfy the safety objective of the recommendation. Responsible agencies have assigned indicative timeframes for each safety action and ITSRR will review the appropriateness of each. Timeframes agreed with responsible companies or agencies have, to the greatest extent possible, been made realistic and achievable. Details of the Implementation Plan and progress against it may be found in Appendix 2.

### **Classification System for Recommendations**

In order to provide a graduated view of progress against the Implementation Plan, ITSRR has developed a classification system to indicate the relative status of each recommendation. The taxonomy for the Classification System

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<sup>13</sup> RailCorp, Independent Transport Safety & Reliability Regulator, Office of Transport Safety Investigations, Emergency Services Agencies

has been drawn from accepted international practice. Appendix 3 includes tables and graphs of the current implementation status of recommendations.

## REPORT FORMAT AND TIMEFRAMES

Quarterly Reports provide an overview of progress made in each quarter towards implementation of the Government's response to the SCOI Final Report. In particular, the Reports summarise action taken during the quarter by the responsible agency<sup>3</sup> against the nineteen safety themes identified in the SCOI Final Report. The Reports also identify any slippage against assigned timeframes and action taken by the responsible agency and/or ITSRR to address this slippage. Appendix 2 lists outstanding recommendations including; safety action, responsible agency, status of the recommendation, ITSRR's assessment of an agency's response and timeframes for completion. Once the required safety action for a recommendation is completed, it will no longer be reported on in the Quarterly Reports; however, a full table of all recommendations and their status is maintained on ITSRR's website at: [www.transportregulator.nsw.gov.au](http://www.transportregulator.nsw.gov.au)

The SCOI Final Report included 127 recommendations with 50 sub-elements contained within them. The sub-elements, such as 57(a)–(f), require separate safety actions and therefore merit the same level of treatment as recommendations. Consequently, ITSRR is reporting on a total of 177 recommendations including sub-elements. Appendix 3 includes tables and graphs of the current implementation status of recommendations.

Reports provided by ITSRR to the Minister for Transport for tabling in Parliament are produced quarterly and are provided one month after the completion of the quarter. Reports for the next 12 months are listed below.

**TABLE 2: TIME FRAMES FOR REPORTING FOR THE NEXT 12 MONTHS**

<b>Quarter</b>	<b>RailCorp</b>	<b>ITSRR Report</b>
Jul - Sep 2005	14 days >	End Oct 2005
Oct – Dec 2005	14 days >	End Jan 2006
Jan - Mar 2006	14 days >	End April 2006
Apr - Jun 2006	14 days >	End July 2006

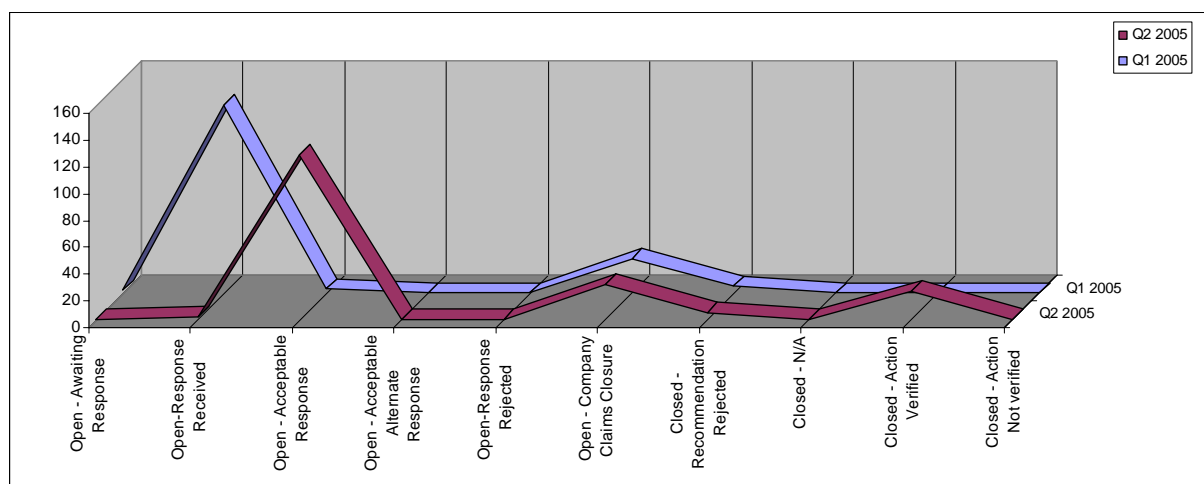
## SUMMARY OF PROGRESS

The SCOI was specifically tasked with identifying the causes of the Waterfall Accident and ways of preventing such accidents in the future. The Commission was also asked to examine what might lead to overall improvements in the safety management of rail operations in NSW. The SCOI Final Report grouped recommendations under 19 safety themes. These relate to both the causes of the accident and to suggested improvements in the overall management of safety on the NSW rail network.

In this Report, implementation progress is summarised against these 19 safety themes. It outlines progress in the reporting quarter, any slippage against agreed timeframes, as well as any action taken by the responsible agency and/or ITSRR to address slippage. This approach provides the necessary transparency to ensure appropriate public scrutiny of progress made in implementing the Government's response to the SCOI Final Report.

The graph below illustrates the status of recommendations as of the 30 June 2005. As time progresses it is expected that the peak will shift along the x-axis until all recommendations are closed.

**GRAPH 1: PROGRESSIVE STATUS ALL RECOMMENDATIONS BY QUARTER**



Significant areas of progress on the remaining recommendations are outlined below:

- as reported in the last quarterly report, RailCorp has completed the installation of vigilance devices in all of its passenger trains (with the exception of the soon to be retired 600 class railcars that operate in the Hunter Valley). However, the Commission recommended the installation of secondary engineering devices in **all** trains on the NSW network. ITSRR has commenced a project to determine whether it will require operators using any other rolling stock on the NSW system (eg track machines, heritage and freight operators) to review the effectiveness of their defences to driver incapacitation;
- RailCorp has replaced the signs on its rolling stock showing clearly where external emergency door release mechanisms are located. ITSRR is developing a standard to include this as a requirement for all passenger rolling stock on the NSW network;
- the NSW Minister for Transport, through the Australian Transport Council (ATC), has referred to the National Transport Commission (NTC) those recommendations of the Commission calling for the regulation of new standards in relation to railway rolling stock design and procurement, communications protocol and systems, train protection systems, data loggers, and safety management systems. The Minister also asked NTC to review recommendations 57 (d)-(f) to determine whether the recently introduced medical standards in rail effectively address these issues;

The NTC is a Commonwealth/State regulatory reform agency responsible for the development and maintenance of appropriate regulation of road and rail safety. The ATC has directed the NTC to report back to it by November 2005 on a proposed work program to address the Commission's recommendations relating to standards.

- RailCorp is progressing the roll out of its new Safety Management System, and will undertake a Systems Validation Audit between July and September 2005. ITSRR intends to complete an independent audit of the system by October 2005;
- rail safety legislation has been amended to provide for a regulation making power to mandate the interoperability of rail communications equipment in NSW;
- ITSRR finalised the configuration of its new electronic document management system, and will fully implement the new system in the next quarter; and
- RailCorp undertook an audit of its training programs to determine the extent to which they meet the requirements of recommendations from the Glenbrook Inquiry. The audit will be submitted to ITSRR for review during the next quarter.

### Implementation Plan Timeframes

RailCorp submitted an action plan to ITSRR on 31 March 2005 which outlined its proposed action and timeframes for implementing the 103 recommendations (including sub-elements of recommendations) for which it is responsible. ITSRR has assessed the plan and believes the proposed actions and timeframes appear realistic and achievable for the vast majority of recommendations.

Whilst ITSRR is seeking implementation of the recommendations at the earliest possible opportunity, it is also mindful that the Commissioner was concerned that recommendations not be implemented too hastily as it may encourage RailCorp to cut corners. Instead he proposed that “***there must be proactive, methodical and systematic planning and implementation, necessary to make systemic changes***”.<sup>4</sup> ITSRR, in consultation with RailCorp, is therefore conducting a further review of a sample of actions and

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<sup>4</sup> SCOI Final Report, volume 1, page 298

timeframes suggested by RailCorp against ITSRR's own expectations for each recommendation. This review aims to ensure that the intent of the recommendations will be met by the proposed action and within proposed timeframes.

In sum, the implementation schedule indicates that of the 177 recommendations (including sub-elements) in the Commissions report:

- 26 recommendations are now closed;
- 26 recommendations are claimed by agencies to be closed (but are yet to be verified);
- a further 84 recommendations will be implemented by December 2005;
- a further 20 recommendations will be implemented by December 2006
- 1 recommendation (the introduction of national communications technical standards) will not be implemented until around 2010.

The remaining 20 recommendations involve the development or review of certain railway standards and regulations. The National Transport Commission (NTC) has been asked by Australian Transport Ministers to develop by November 2005 a work program to address these issues. The timeframe for these recommendations are therefore noted as “interim” in the table at Appendix 3.



## **Emergency Response**

### **SCOI Final Report Recommendations 1-28**

These recommendations relate to the Commission's findings that emergency response procedures to the Waterfall Rail Accident were inadequate. They are intended to ensure that RailCorp has effective procedures in place in the event of a future rail accident that will enable it to locate the accident site, secure and isolate it and facilitate access of emergency services. The recommendations also aim to ensure that any such emergency response is coordinated between relevant parties and is timely. This includes for example the provision of supporting emergency procedures and appropriate training in those procedures.

Between 1 April and 30 June 2005, recommendations 2 and 27 were closed following ITSRR's verification that RailCorp had:

- installed a touch screen dial-up facility and dedicated phone line within its Rail Management Centre (RMC) directly to the Police, Fire Brigade and Ambulance for use in the case of an emergency (Recommendations 2 and 27).

In the same period, RailCorp claimed closure of recommendations 10-18. These recommendations relate to the inclusion of specific elements within RailCorp's Incident Management Framework including:

- immediate response procedures (Recommendation 10);
- site management and recovery processes (Recommendation 11, 12, 14);
- comprehensive incident management plans and procedures including Network Incident Management Plan (Recommendations 13, 16, 17, 18); and
- training of appropriate personnel in the Incident Management Framework.

ITSRR has sought additional information from RailCorp in order to verify implementation of these elements into its Incident Management Framework.

The priorities for the next quarter include:

- verification that RailCorp has assigned a designated staff member at the RMC to act as the rail emergency management co-ordinator and be the single point of contact at the RMC to coordinate liaison between other rail personnel and emergency services personnel during the rescue phase of an emergency response (Recommendation 3);
- the implementation by RailCorp of a training program that demonstrates guards are trained in the use of MetroNet and know how to use the system in an emergency (Recommendation 5);
- the implementation by RailCorp of satellite phones to all rail commanders for use at any emergency. This will address the Commission's intent that duty officers should have the communications capacity to deal with any major incident that may arise in the outer urban area<sup>5</sup> (Recommendation 7); and
- RailCorp will provide ITSRR with information demonstrating that it has implemented training to ensure all employees commence any emergency communication with the words "*Emergency, emergency, emergency*", followed by name, the train, its location, what has occurred, the approximate passenger load and whether death or injuries have occurred (Recommendation 26).

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<sup>5</sup> Final Report of the Special Commission of Inquiry, Volume 1, Justice McInerney QC, January 2005, page 77

## **Design and Procurement of Rolling Stock**

### **SCOI Final Report Recommendations 29 & 30**

The Commissioner recommended that all railway operators should have a quality assurance program in place for the design and construction of rolling stock and that the rail safety regulator should set standards for the design, manufacture, testing and commissioning of rolling stock to ensure that it is fit for purpose.

To progress this, the NSW Minister for Transport through the Australian Transport Council (ATC) referred the development of a new regulation on rolling stock to the National Transport Commission. In addition, the Australasian Railway Association (ARA) through its Code Management Company (CMC) is redeveloping Volume 5 of the Code of Practice for rail operators. This will provide nationally consistent and accepted rolling stock standards for the Australian rail Industry (broad, standard and narrow gauge).

Until this new standard is developed, ITSRR will continue to use Australian Standard 4292 on Railway Safety Management as the benchmark for safely managing and procuring rolling stock. ITSRR is also implementing the new National Accreditation Package for rail operators from September 2005. This package includes procedures for the design, manufacture, testing and commissioning of rolling stock as a key element of an operator's safety management system.

All NSW accredited operators are required to comply with the "Minimum Operating Standards for Rolling Stock" (MOSRS) - a set of detailed technical safety standards. Compliance with the MOSRS is also a standard condition of rail access agreements between rolling stock operators and the three NSW infrastructure owners (RailCorp, RIC, and the ARTC). It is proposed to review the MOSRS as part of the initiative to establish a nationally consistent set of technical railway safety standards.

ITSRR expects accredited rolling stock operators to have effective procedures and protocols in place to ensure that any rolling stock brought into service is fit

for purpose. Through its existing compliance program for accredited rail operators, ITSRR continues to review rolling stock procedures and protocols.

## **Driver Safety Systems**

### **SCOI Final Report Recommendations 31-33**

These recommendations are intended to minimise the risk of an accident in the event of train driver incapacitation by requiring the fitting of two independent engineering defences to all trains as an interim measure until automatic train protection (ATP) is introduced to the NSW rail network. In the longer term, the SCOI recommended the introduction of “Level 2 type ATP”. ATP systems are more advanced technologies which can automatically override a driver if a train is behaving in an unauthorised way in relation to network constraints.

As noted in the last report, RailCorp has progressively installed vigilance devices in all its passenger trains (with the exception of the soon to be retired 600 class railcars that operate in the Hunter Valley), in addition to deadman systems, and has removed material from train cabs that could be used to deliberately circumvent the deadman pedal (Recommendation 31).

However, there are other types of rolling stock on the network that do not have two independent engineering defences, ie freight trains, instead these trains generally have a second driver. However, where there are “driver only operations”, ITSRR requires through its accreditation processes that rolling stock be fitted with two independent engineering devices. In the next quarter, ITSRR will commence work on a paper which outlines engineering and procedural defences for rolling stock against driver incapacitation. Upon completion, ITSRR will initiate a risk assessment of these defences to determine what defences might be appropriate for different types of rolling stock operations.

It should be noted that there is no single classification system for ATP used around the world. To address this ITSRR is finalising an information paper to

define the various forms of ATP used in major world railways. This paper will be reviewed in the third quarter by external parties and published on ITSRR's website. It will ensure that any future analysis of ATP uses a common form of terminology.

In relation to the introduction of ATP systems on the NSW rail network (Recommendations 32 & 33), this paper will form the basis of a detailed review by ITSRR, RailCorp, ARTC, and the rail industry more broadly through the Australasian Railway Association (ARA) of the applicability of different types of ATP to the NSW rail network .

The introduction of ATP into the NSW rail network will require changes to be made to rolling stock standards. The Commissioner recommended that the rail safety regulator mandate standards for rolling stock (Recommendation 30). To progress this, the NSW Minister for Transport referred the development of a regulation for rolling stock to the National Transport Commission. In its deliberations, the NTC is expected to address the incorporation of requirements for ATP (Recommendation 33). The NTC is to report back to the ATC in November 2005. This will result in Australia-wide consistent standards for ATP, which is essential given the extent of interstate rail operations.

## **Risk Assessment and Risk Control Procedures**

### **SCOI Final Report Recommendations 34 and 35**

Recommendation 34 and its sub-elements seek to make the rail network safer by ensuring that RailCorp has in place processes to systematically identify and assess risks on the network and put appropriate control measures in place to reduce or eliminate circumstances which might result in an accident. Following the Waterfall Accident, RailCorp engaged Lloyd's Register Rail, a recognised safety engineering firm, to work with it to develop a risk management framework and implementation strategies that would provide RailCorp with good risk management processes and a robust risk control register.

Progress made by RailCorp in the second quarter included:

- continuing implementation of its new risk management framework across all of its divisions (Recommendation 34); and
- arranging for a Systems Validation Audit (SVA) of the new framework. This involves a desktop audit of the new framework between 26 and 29 July 2005, followed by field audits from 22 August to 29 September 2005 to determine extent of its use in RailCorp's operations (Recommendation 34). ITSRR will be involved in both of these assessments.

Following the SVA, ITSRR will verify the operation of the new risk management framework through its own field inspections between 12 September and 14 October 2005. This framework should enable RailCorp to undertake more sophisticated risk analysis, review the impact of new safety measures on its risk profile, and better manage and monitor the effectiveness of control measures.

## **Data Loggers**

### **SCOI Final Report Recommendations 36 and 37**

Effective use of data loggers should provide rail operators with information to help them understand the causes of incidents on the rail network. Data loggers record information on a train's operations, including, for example, speed during a journey.

In the second quarter, the NSW Minister for Transport wrote to the National Transport Commission (NTC) requesting that it develop a national regulation for data loggers. Following a meeting of the Australian Transport Council (ATC) which consists of Australian, State and Territory Transport Ministers on 3 June 2005 in Alice Springs, a Joint Communique was issued. The ATC requested that the NTC report back to it by November 2005 on whether a

national regulation for data loggers might form part of its rail regulatory reform program.

In the next quarter ITSRR will progress the development of a guideline for data to be collected by data loggers in consultation with the rail industry. In developing this guideline, options for overcoming the acknowledged limitations of current data logger technology will be explored. The guideline will serve as an interim standard until a national regulation is in place.

## **Communications**

### **SCOI Final Report Recommendations 38- 46**

These recommendations address two important issues. First, that standardised communications protocols should be in use on the NSW rail network so that rail employees use clear and well understood language when communicating with each other. This is particularly important in emergency situations. Second, the compatibility and interoperability of communications equipment (radios for example), so that in an emergency drivers, signalers, train controllers and other relevant personnel (with different types of equipment) are able to talk to each other.

To progress recommendations in relation to communications protocols:

- the NSW Minister for Transport referred to the National Transport Commission (NTC) development of national regulations for the mandating of communications procedures and protocols. The NTC is to respond by November 2005 (Recommendations 39, 43); and
- in the interim, the passage of the Transport Legislation Amendment (Waterfall Inquiry Recommendations) Act 2005 now provides for a regulation making power to set requirements for train radio communications protocols (Recommendation 43, 44).



In the next quarter:

- RailCorp will have a process in place to ensure all Rail Management Centre (RMC) communications staff are selected on the basis of their ability to convey information clearly, concisely and to follow strict communications protocols (Recommendation 40);
- as part of ITSRR's planned audit program of RailCorp from July to October 2005, the communications protocols contained in RailCorp's current Network Procedures will be reviewed to ensure they are adequately conveyed to new and existing staff by way of competency based training (Recommendations 39, 40, 41, 42 and 44); and
- ITSRR will begin expansion of its compliance audit program to increase the number and scope of inspections during 2005 to check adherence to standardized communications protocols by all accredited rail operators (Recommendations 44 and 45).

To progress recommendations in relation to communication technologies:

- in the short term, RailCorp has advised it has developed a technical solution to establish an interoperability link for train control and signaling to manage emergency calls originating from either Metronet or Countrynet radio systems. These two different systems are on metropolitan trains and freight trains respectively. RailCorp advises the interim solution has been trialed and that it will be fully implemented in the fourth quarter of 2005 (Recommendation 46); and
- in the longer term, compatibility will be ensured through the development of a national standard for communications which is currently being developed by the Australasian Rail Association (ARA) with the input of both RailCorp and ITSRR. This will include a national digital radio system and will be implemented by 2010. The Australian Transport Council (ATC) also resolved at its 3 June meeting to have regular updates on the

progress of communications standard development to ensure timeliness in development and implementation (Recommendation 46).

## **Train Maintenance**

### **SCOI Final Report Recommendations 47-53**

The purpose of these recommendations is to ensure there are minimum standards and inspections in place for RailCorp trains entering service and adequate maintenance plans and systems in place to record and rectify train defects, as well as certification of work by an appropriately qualified individual.

RailCorp claimed closure on these recommendations through a number of projects under its Train Services Safety Improvement Program (TSSIP) including:

- the development of an electronic reporting, recording and rectification capability within its existing maintenance regime for both the electric and diesel fleets which permits tracking to finalisation of defect reports (Recommendation 47);
- the development of suitable processes to ensure that defect rectification is certified, reported and attended to by competent personnel (Recommendations 47 and 48).;
- the existence of a RailCorp Train Operations Manual which contains the standard for determining when a train is permitted to enter service and remain in service (Recommendation 49); and
- the reorganisation of the reporting function of the “Defects” unit within the RMC from Operations Division to Rolling Stock Division following consultation with staff and unions, process mapping and safety validation conducted by external consultants (Recommendation 51).

ITSRR will independently verify the effectiveness of these measures in the next quarter following receipt of additional information requested from RailCorp.

## **Alcohol and Drug Testing**

### **SCOI Final Report Recommendations 54-56**

These recommendations were intended to ensure random Drug and Alcohol (D&A) testing continued and that testing was made mandatory following an incident. The Rail Safety Act 2002 and supporting regulations which commenced in 2003 require accredited operators to have a D&A program in place. It is an expectation of ITSRR's that medium to large NSW operators have their own random D&A testing program.

ITSRR has verified that RailCorp as well as several other large operators have D&A testing programs in place. ITSRR will check remaining large operators and instituted its own testing program on 22 June 2005 to check compliance of small operators which may not have introduced random testing as part of their D&A program (Recommendation 54). This recommendation will be verified and closed in the next quarter.

To ensure that mandatory testing is done post-incident (Recommendation 55), ITSRR is developing a guideline to define the types of incidents after which a rail safety worker should be tested. It is anticipated that a guideline will be in place by the end of 2005.

RailCorp has a random D&A testing program in place which includes voluntary self-identification and rehabilitation program to assist workers with lifestyle choices (Recommendation 56). This includes support programs for employees who self-identify an alcohol or drug related problem.

RailCorp employs drug evaluation officers and reports that the following D&A tests have been carried out:

#### RailCorp random alcohol testing<sup>6</sup>

	October 2003 to 08 July 2005
Tests conducted	43,500
Tests conducted this quarter	1531
Positive test results	48
% positive results	0.11

#### RailCorp random drug testing <sup>7</sup>

	October 2003 to 08 July 2005
Tests conducted	2,420
Tests conducted this quarter	145
Positive test results	48
% positive results	1.98

ITSRR has independently verified via desk-top review and field inspection that RailCorp is continuing its random testing program and its voluntary self-identification and rehabilitation process to assist workers with lifestyle choices. Recommendation 56 is now closed.

## Periodic Medical Examination

### SCOI Final Report Recommendations 57(a)-(j)

This recommendation is directed at minimising the risk of incapacitation of a train driver through more stringent standards for periodic medical examinations for railway safety critical workers.

Recommendations from 57(a)(b)(c)(g)(h) and (i), have now been closed. This was achieved through:

- The development and adoption of a national standard in NSW in May 2004. It applies to all rail operators and ensures that:
  - rail workers whose jobs involve greater safety risks must have more frequent and comprehensive health assessments; and

<sup>6</sup>Source: [http://www.cityrail.nsw.gov.au/aboutus/our\\_performance/alcohol\\_testing.jsp](http://www.cityrail.nsw.gov.au/aboutus/our_performance/alcohol_testing.jsp), accessed 20 July 2005

<sup>7</sup> Ibid

- assessments are to be undertaken by doctors with a specified level of training on job requirements of rail workers so that this information is appropriately taken into consideration during medical examinations.

The standard also provides for predictive and preventative management of potentially incapacitating medical conditions (including cardiac risk assessment) and also includes psychological assessment. The current standard already incorporates recommendations from 57(a)(b)(c)(g)(h) and (i).

RailCorp adopted the standard in February 2004; prior to it being made mandatory in NSW. RailCorp continues to progress towards full implementation of the standard. In the reporting quarter it undertook further 213 medical assessments of train drivers (122) and guards (91) bringing this to a total of 1733 tests representing. RailCorp's testing is conducted on a risk management basis; that is, processing the highest risk personnel such as drivers.

Recommendations 57(d)-(f) have been referred to the National Transport Commission for review and potential inclusion in the national standard. The NTC is expected to respond by November 2005 on its revised work program.

## **Safety Document Control**

### **SCOI Final Report Recommendations 58-64**

Effective document control, particularly document control of safety information, is a critical element of a rail operator's safety management system. Employers and employees must be confident that the safety information they are operating under is current and accurate.

During the second quarter, the following recommendations were closed after:

- The provision of evidence demonstrating that the position of Manager Information Systems within its Safety & Environment Group had been

created. RailCorp has selected a person for the role with appropriate skills, qualifications and experience to manage the task of collecting, collating and disseminating the relevant information within RailCorp (Recommendation 60);

- access to RailCorp's Intranet was provided to ITSRR (Recommendation 62); and
- ITSRR and RailCorp's participation in national programs for the collection and collation of rail safety information including the National Rail Occurrence Database (NROD), so that trend analysis may be carried out on safety issues at a national level (Recommendation 64).

Progress was made by ITSRR on the implementation of its electronic document management system. Roll out of the new system had already commenced at the time of writing this report with full implementation expected by September 2005 (Recommendation 63).

## **Train Driver and Guard Training**

### **SCOI Final Report Recommendations 65 - 71**

It is important that train drivers and train guards are adequately trained in the performance of their duties. This issue was also raised by the SCOI into the Glenbrook accident. Of particular interest for training is the appropriate use of simulators, encouragement of teamwork, and the development of training based on a needs analysis.

In the reporting quarter, RailCorp has:

- reviewed recommendations 1-7 from the Glenbrook Report and commenced an audit of measures it had already implemented to assess their efficacy (Recommendation 65); and

- claimed closure on the use of interactive simulator training for its guards and drivers in circumstances such as passing signals at stop or trespassers in the rail corridor (Recommendations 66 and 67).

In the next quarter, ITSRR will verify that simulators are being used in accordance with the SCOI recommendations.

## **Rail Accident Investigation**

### **SCOI Final Report Recommendations 72 - 82**

The SCOI Final Report promulgated “just culture” investigations (ie, those aimed at determining all the factors contributing to an accident, including systemic factors, the root causes of an accident rather attempting to allocate than who is at fault or to blame or liability), as more likely to contribute to improved safety outcomes in the longer term. Recommendations 72 -74 and 82 concern the powers of and relationship between, the NSW Office of Transport Safety Investigation (OTSI) and the Australian Transport Safety Bureau (ATSB).

In the reporting quarter, the progress included:

- Commencement of negotiations to establish a Memorandum Of Understanding (MOU) between OTSI and the ATSB to collaborate on investigations. These negotiations will continue in the next quarter and it is expected that an MoU will be completed and implemented by the end of 2005. (Recommendations 72-74 and 82); and
- ITSRR reviewed its data and information management systems and prepared an IT Systems Development Plan to enable it to effectively monitor safety on the NSW rail network (Recommendation 76). It is expected that this work will be completed by mid 2006.

The following recommendations were closed in the second quarter:

- All ATSB accident investigation reports are made public (Recommendation 75);
- ITSRR continues to actively participate in national programs for the collection and collation of safety information. ITSRR provides data on rail incidents and investigations to ATSB and is working with other agencies under the auspices of the ATSB to expand the range of information provided (Recommendation 77);
- The passage and assent of *the Transport Legislation Amendment (Waterfall Inquiry Recommendations) Act 2005* established OTSI as an independent accident investigator reporting directly to the Minister for Transport<sup>8</sup> (Recommendation 78); and
- The *Transport Legislation Amendment (Waterfall Inquiry Recommendations) Act 2005* also provided the Chief Investigator with the power to initiate a rail accident or incident investigation<sup>9</sup> (Recommendation 79).

## Safety Culture

### SCOI Final Report Recommendations 83 - 84

It is accepted safety practice that a positive safety culture works in tandem with a safety management system to deliver safe operations. RailCorp has advised that it will review its safety culture plan and submit a revised plan to ITSRR in October 2005 which incorporates the recommendations 83 (a) – (n). RailCorp has indicated that it is on target to meet this submission date.

## Occupational Health and Safety

### SCOI Final Report Recommendations 85- 87

Recommendations 85-87 articulated the SCOI's concern that RailCorp's approach to safety management was overly focused on occupational health

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<sup>8</sup> Part 5A, [Transport Administration Act 1988 No 109](#)

<sup>9</sup> Section 67, [Rail Safety Act 2002 No 96](#)



and safety (OHS). By this it meant that RailCorp primarily sought to implement risk control measures for risks of relatively low consequence, but high frequency, to the detriment of more significant risks of relatively high consequence, but low frequency. The SCOI recommended integration of OHS management into RailCorp's overall safety management system, so that broader public safety concerns, such as derailment or collision, would receive greater attention.

RailCorp has claimed closure on these recommendations. ITSRR will therefore verify RailCorp's compliance with these recommendations during extensive audit of RailCorp's SMS scheduled to commence in July 2005 continuing through to October 2005.

## **Passenger Safety**

### **SCOI Final Report Recommendations 88-101**

These recommendations address emergency egress and access (ie, ways in which passengers can escape from trains in an emergency and the way emergency services and other rescuers can get into trains), emergency evacuation procedures and associated training and standards. In particular, the SCOI recommended the abandonment of the RailCorp containment policy which does not allow for self-evacuation by passengers in the event of an accident.

During the second quarter:

- RailCorp continued to work on the risk assessment of passenger evacuation options in the event of an emergency as part of the replacement of its containment policy. RailCorp contracted both Outcome Engineering and Airservices Australia to conduct the risk assessment using a Socio-Technical Probabilistic Risk Assessment (ST-PRA) methodology. RailCorp advised ITSRR that the risk assessment includes visual map linking train configurations, crew and passenger behaviours, threats, locations (eg tunnels) and resultant harm. This will assist in

determining appropriate passenger evacuation options in the event of an emergency (Recommendation 88).

ITSRR expected RailCorp to provide the risk assessment by the end of June 2005. However, RailCorp advised on 9 May 2005 that it would not be able to meet this date but would submit the assessment by 29 July 2005. This risk assessment has now been received and is currently being reviewed.

- ITSRR continued its work on developing principles for a standard on emergency access and egress. The development of these principles drew on feedback from interested parties following the publication of its Report on *Train Door Emergency Egress and Access and Emergency Evacuation Procedures* (Recommendations 89-93, 95 and 98-101);
- the NSW Minister for Transport referred the development of a national regulation on emergency egress to the National Transport Commission. It is expected that the principles developed by ITSRR will make a considerable contribution to the development of a national regulation; and
- legislation continues to be reviewed to ensure penalties are appropriate once passenger door releases have been fully installed (Recommendation 94). In the meantime penalty provision under section 93 of the *Rail Safety Act* (tampering with safety equipment) will apply with penalties of up to \$110,000 applying (or 3 years imprisonment). An offence also exists under clause 28 of the *Rail Safety (General) Regulation 2003*.
- RailCorp has:
  - amended signage on the outside of trains to make it clearer to emergency services where door releases are located (Recommendation 96 & 97);
  - appointed seven new trainers specializing in incident response training (Recommendation 96);

- provided a DVD to emergency services to assist in the preparation of training for emergency services personnel (Recommendation 97); and
- Emergency Response Services established a committee of representatives from across the Services to review training regulations in order to determine what level and type of training is appropriate for emergency services personnel in the location and operation of emergency door release mechanisms (Recommendation 97).

RailCorp claimed closure for the following:

- Relevant RailCorp personnel are now trained in the location and operation of external emergency door release mechanisms on passenger trains (Recommendation 96).

This will be subject of independent verification by ITSRR in the next quarter.

## **Corporate Governance**

### **SCOI Final Report Recommendations 102- 109**

These recommendations introduce requirements for formal qualifications in system safety management for managers who report to the CEO of RailCorp. They also require development of safety accountability statements and reporting lines for all management positions and the introduction of independent external and internal audit processes to be managed by the RailCorp Board.

During the next quarter, RailCorp has indicated it will:

- submit evidence to demonstrate implementation of external auditing of its SMS as part of the annual safety audit plan managed by the RailCorp Board (Recommendation 104); and

- submit its 2005/06 audit plan for internal and external audits of its SMS (Recommendation 108).

## **Safety Reform**

### **SCOI Final Report Recommendation 110(a)-(e)**

This recommendation sought to create a position of Safety Reform Project Director to manage the safety reform program being undertaken by RailCorp and detailed various aspects of the duties that should be undertaken by this position. RailCorp advised ITSRR that it intends to address recommendation 110 by altering the role of the current Just Culture Program Director to a Safety and Culture Program Director, retaining the function for delivery of the Just Culture Program while incorporating the requirements of recommendation 110(a)-(e). RailCorp will revise the role of its Just Culture Program Director in the next quarter and will then submit the revised position description to ITSRR.

## **Safety Regulation**

### **SCOI Final Report Recommendations 111-120**

These recommendations addressed the role of ITSRR in relation to safety regulation, the governance of ITSRR and the need for more explicit guidelines from ITSRR.

Progress in the second quarter:

- the *Transport Legislation Amendment (Waterfall Inquiry Recommendations) Act 2005* was passed and assented to. The legislation addressed the Commission's concerns that the ITSRR Advisory Board had a potential conflict of interest because it advised both OTSI (in relation to investigations) and ITSRR (in relation to accreditation decisions). In particular, the legislation removed the mandatory requirements for ITSRR and OTSI to refer matters to the Advisory Board, thus enhancing the independence of ITSRR and the Chief Investigator. The ITSRR Advisory Board was retained as an expert advisory body which may provide advice

to the Minister or to ITSRR when requested to do so by the Chief Executive. This addressed the concerns of the SCOI although the Government rejected the abolition of the Board (Recommendation 111);

- removal of legislated provisions requiring ITSRR to refer matters to the Advisory Board also clarified that the Chief Executive of ITSRR is the responsible officer accountable for the management of ITSRR and for the administration of rail safety legislation in NSW (Recommendation 113);
- as noted in the last report, ITSRR reviewed its staffing needs prior to establishment in January 2004 and significantly increased its resources at that time to include over 80 personnel from a previous establishment of about 25. This figure includes 35 authorised field officers rising from approximately 13. OTSI also has 10 authorised field officers dedicated to accident investigation;
- ITSRR regularly reviews staffing arrangements and adjusts them to reflect its current operational needs (Recommendation 117). In doing so, two additional field staff have been recruited to undertake compliance investigations. Recommendation 117 has therefore been claimed as closed; and
- ITSRR continues to participate in national reform processes as recommended by the Commission (Recommendation 120). In the second quarter policy principles for National Model Legislation (NML) were agreed and a draft Bill is anticipated in the next quarter. ITSRR is taking an active role in the development and implementation of national model legislation and supporting regulations, standards and guidelines. These combined actions close Recommendation 120.

In the next quarter:

- ITSRR will review its current guidelines and put a process in place to identify, develop and issue revised and future guidelines as required from time to time under the *Rail Safety Act* (Recommendation 114); and
- ITSRR will implement the new National Accreditation Package (NAP) for rail operators with full implementation by September 2005 (Recommendations 115, 116 and 119). Compliance by operators is anticipated by July 2006. NAP sets out accreditation requirements for rail operators, including requirements for an integrated SMS. As part of its accreditation processes, ITSRR conducts field audits to assess whether an operator has the systems, competency and capacity to run railway operations safely. This will continue with the roll out of the NAP.

## **Integrated Safety Management**

### **SCOI Final Report Recommendations 121- 124**

These recommendations advocated that a regulation be promulgated specifying the requirements of a safety management system (SMS) and the steps RailCorp needs to take to ensure that its SMS is integrated. Integration should occur at two levels. Firstly, the different components of the SMS must be integrated with each other, and secondly, the SMS must be integrated into the business processes of RailCorp. Such integration is essential to ensure that all hazards, and their associated risks, are identified by an operator, and are properly catered for in its SMS - that is, that there are appropriate preventive and recovery control measures in place to reduce, or minimize, the probabilities of occurrence, and the negative consequences of these risks to levels which are as low as reasonably practicable.

Progress in the second quarter:

- The NSW Minister for Transport referred the development of a national regulation for Safety management Systems (SMSs) to the National Transport Commission (NTC) (Recommendation 121); and
- RailCorp developed an integrated safety management system during 2004 for implementation in 2005. In light of these recommendations, RailCorp has reviewed its SMS against recommendations 122 (a) to (f) to ensure that its SMS framework incorporates the specific recommendations of the SCOI (Recommendation 122 and 123). Full integration of the SMS is expected by December 2005.

Priorities for the next quarter:

- Implementation of the new National Accreditation Package (NAP) for rail operators by September 2005 with compliance by operators anticipated by July 2006. NAP sets out the requirements for a rail operator for the purposes of accreditation, including the requirement for an integrated SMS. NAP incorporates the 29 elements recommended by the SCOI for an SMS (Recommendation 121); and
- ITSRR will audit RailCorp's integrated SMS from July continuing through to October 2005 to assess the implementation of it across RailCorp's operations.

## **Implementation of Recommendations**

### **SCOI Final Report Recommendations 125-127**

Recommendations 125-126 concern the management and reporting of the implementation of recommendations arising from the SCOI Final Report, including frequency of reporting and tabling of reports in Parliament.

ITSRR provided its first quarterly report to the Minister for Transport for tabling in Parliament on 6 May 2005. As noted on page 16, the format, content and

timeframes for Quarterly Progress Reports have been agreed and published. Reports will be provided to the Minister at the end of the month following the conclusion of the previous quarter (Recommendation 125). Recommendation 125 is now closed.

In addition, the *Rail Safety Act 2002* in section 68 now requires the Minister to table reports in Parliament within 7 days of receipt (Recommendation 126). The assent of the Act verifies this action has been implemented. The recommendation is now closed.

## **Summary**

The implementation of the NSW Government's response to the Special Commission of Inquiry into the Waterfall Accident must be seen in the context of systemic safety reform. As recognized by the Commissioner, there are no quick fixes.

Making the NSW rail network safer requires a comprehensive approach to achieve fundamental and long lasting change to reduce the likelihood of accidents like the one at Waterfall from occurring again in the future.

Satisfactory progress has been made in implementing the recommendations to date although there is still substantial work ahead.

ITSRR will continue to report on progress towards implementation and takes its monitoring and reporting role very seriously. There will be no hesitation in using statutory enforcement powers should agencies fail to meet their commitments.



## APPENDIX 1 – TABLES AND GRAPHS

**TABLE 3: RECOMMENDATIONS BY RESPONSIBLE AGENCY**

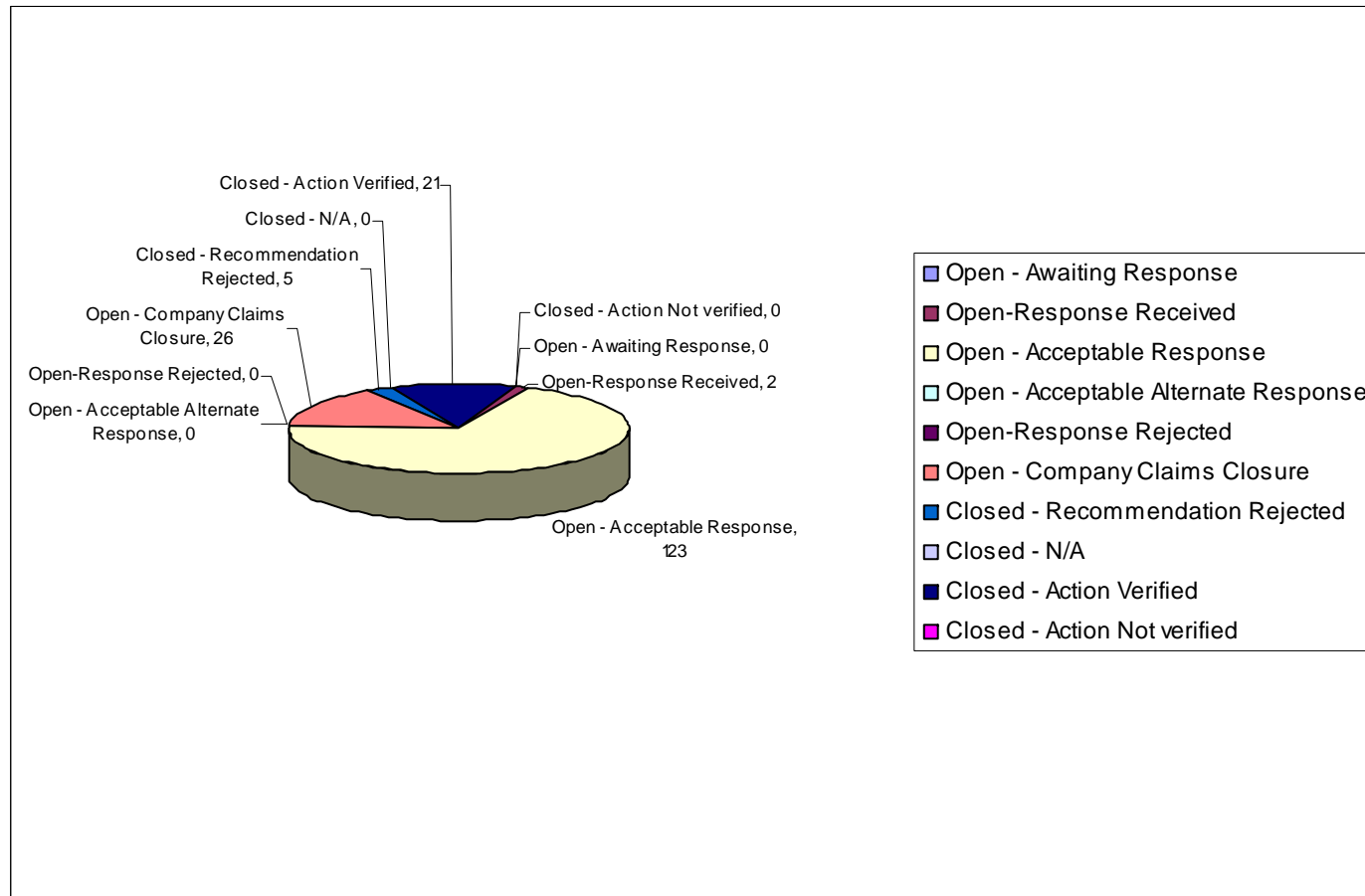
RESPONSIBLE AGENCY	RECOMMENDATIONS FROM SCOI FINAL REPORT	NUMBER OF RECOMMENDATIONS INCLUDING SUB-ELEMENTS
RailCorp	1-8, 10-14, 16-20, 22, 25-27, 32, 34(a) – (h), 40, 47-53, 56, 58-62, 65-71, 83(a)-(n), 85-88, 96, 102-110(a)-(e), 122(a)-(f(i-xii)), 123,	103
Emergency Services Agencies	15, 97	2
Emergency Services Agencies & RailCorp	9, 21, 23, 24, 28	5
ITSRR	29, 30, 31, 33, 36-39, 41-46, 54-55, 57(a)-(i), 63-64, 75-80, 84, 89-95, 98-101, 113-117, 119-121, 124-125(a)-(b), 126	57
OTSI	72, 73, 74, 81, 82	5
Not assigned	35, 111, 112, 118, 127	5
TOTAL	127	177

At the end of the first quarter of 2005, the status of the 177 Recommendations including sub-elements of the SCOI Final Report is detailed in the following table:

**TABLE 4: STATUS OF RECOMMENDATIONS INCLUDING SUB-ELEMENTS**

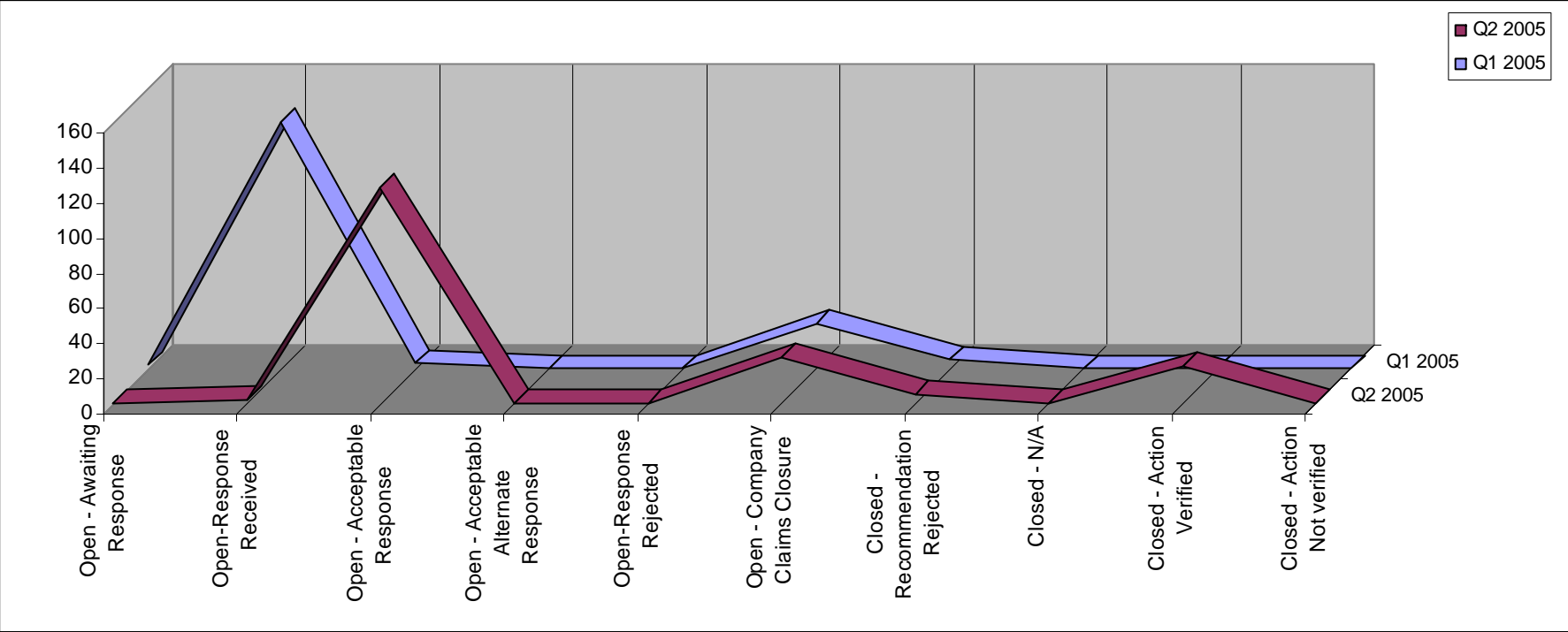
Operator	Open - Awaiting Response	Open- Response Received	Open - Acceptable Response	Open - Acceptable Alternate Response	Open- Response Rejected	Open - Company Claims Closure (Not Verified)	Closed - Recommendation Rejected	Closed - N/A	Closed - Action Verified	Closed - Action Not verified	Other	Total
Not Assigned							5					5
NSW Emergency Services			2									2
RailCorp		2	74			22			5			103
ITSRR			37			4			16			57
OTSI			5									5
RailCorp/ NSW Emergency Services			5									5
	0	2	123	0	0	26	5	0	21	0	0	177

**GRAPH 2: STATUS OF EACH RECOMMENDATION INCLUDING SUB-ELEMENTS AS OF 2<sup>ND</sup> QUARTER 2005**

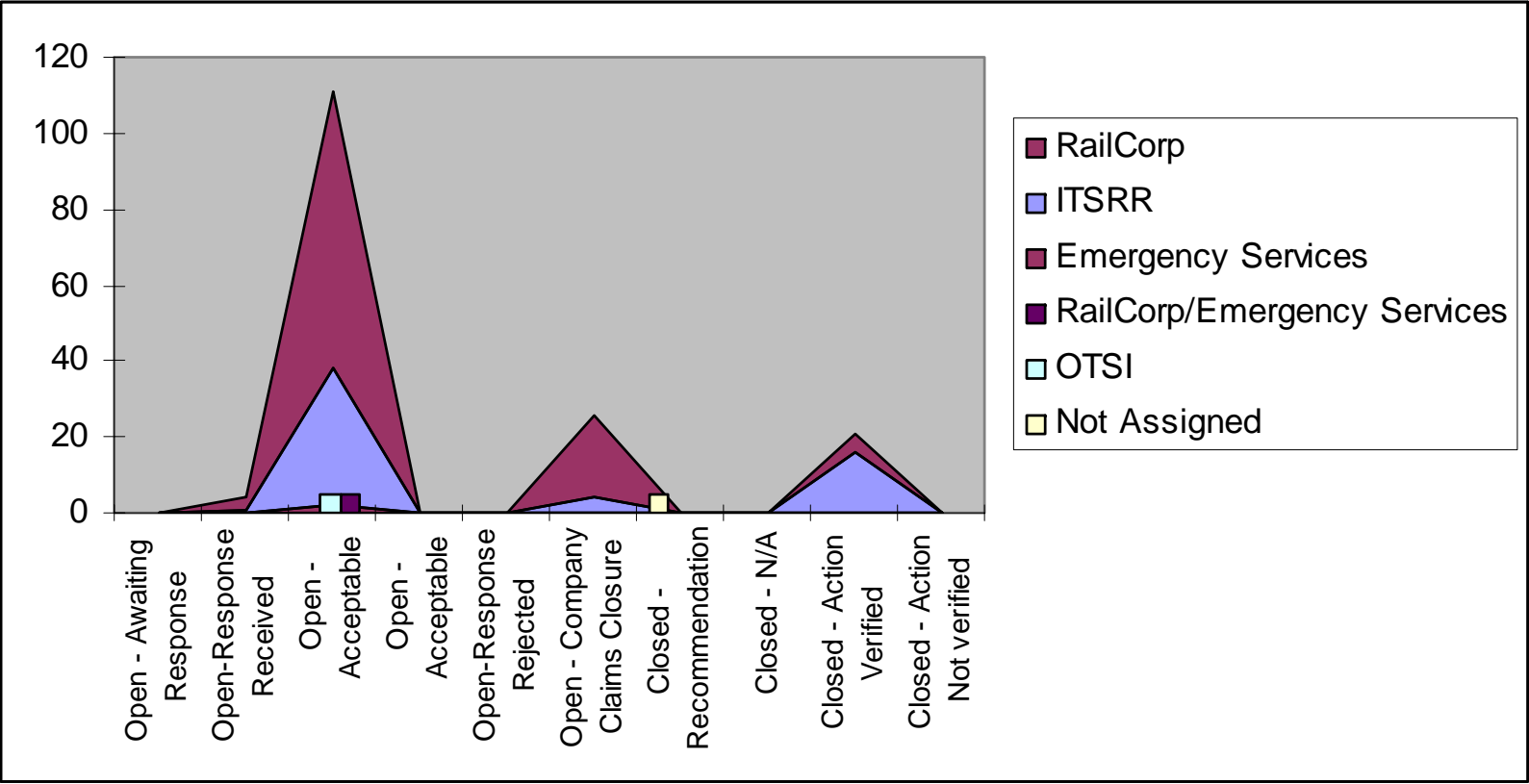


The two graphs below illustrates the progressive status and the responsible agency for the recommendations. As time progresses it is expected that the peak will shift along the x-axis until all recommendations are closed.

GRAPH 1 (AS ABOVE): PROGRESSIVE STATUS ALL RECOMMENDATIONS BY QUARTER



GRAPH 3: STATUS OF RECOMMENDATIONS AND SUB-ELEMENT BY RESPONSIBLE AGENCY AS OF 2ND QUARTER 2005



In the SCOI Final Report recommendations were listed against specific themes or topics relating to the causal factors associated with the Waterfall Rail Accident. The following table presents the status of recommendations by these themes:

**TABLE 5: STATUS OF RECOMMENDATIONS BY THEME**

Summary of Status of Recommendations as of 2 <sup>nd</sup> Quarter 2005	Open - Awaiting Response	Open-Response Received	Open - Acceptable Response	Open - Acceptable Alternate Response	Open-Response Rejected	Open - Company Claims Closure	Closed - Recommendation Rejected	Closed - N/A	Closed - Action Verified	Closed - Action Not verified	Other	Total
Emergency response 1-28	0	1	14	0	0	11	0	0	2	0		28
Procurement & design of rolling stock 29-30	0	0	2	0	0	0	0	0	0	0		2
Driver safety systems 31-33	0	0	3	0	0	0	0	0	0	0		3
Risk assessment and control procedures 34-35	0	0	8	0	0	0	1	0	0	0		9
Data loggers 36-37	0	0	2	0	0	0	0	0	0	0		2
Communications 38-46	0	0	9	0	0	0	0	0	0	0		9
Train Maintenance 47-53	0	0	3	0	0	4	0	0	0	0		7
Alcohol and Drug Testing 54-56	0	0	1	0	0	1	0	0	1	0		3
Periodic Medical Examinations 57	0	0	3	0	0	0	0	0	6	0		9
Safety Document Control 58-64	0	0	4	0	0	0	0	0	3	0		7
Train Driver and Guard Training 65-71	0	1	4	0	0	2	0	0	0	0		7
Rail Accident Investigation 72-82	0	0	7	0	0	0	0	0	4	0		11
Safety Culture 83-84	0	0	15	0	0	0	0	0	0	0		15
OH&S 85-87	0	0	0	0	0	3	0	0	0	0		3
Passenger safety 88-101	0	0	13	0	0	1	0	0	0	0		14
Corporate Governance	0	0	8	0	0	0	0	0	0	0		8

Summary of Status of Recommendations as of 2 <sup>nd</sup> Quarter 2005	Open - Awaiting Response	Open-Response Received	Open - Acceptable Response	Open - Acceptable Alternate Response	Open-Response Rejected	Open - Company Claims Closure	Closed - Recommendation Rejected	Closed - N/A	Closed - Action Verified	Closed - Action Not verified	Other	Total
102-109												
Safety Reform 110	0	0	5	0	0	0	0	0	0	0		5
Safety Regulation 111-120	0	0	2	0	0	3	3	0	2	0		10
Integrated Safety Management 121-124	0	0	20	0	0	1	0	0	0	0		21
Implementation of Recommendations 125-127	0	0	0	0	0	0	1	0	3	0		4
	0	2	123	0	0	26	5	0	21	0	0	177

## **APPENDIX 2 – METHODOLOGY**

This section outlines the processes which ITSRR has instituted to develop and monitor the Implementation Plan for the Government's response to the SCOI Final Report into the Waterfall Rail Accident.

### **Implementation Plan**

ITSRR has reviewed the SCOI Final Report and determined action required to implement each recommendation in line with the Government's response and which company or agency has responsibility for that action. These expectations then formed the basis for determining whether the response put forward by a company or agency is appropriate to meet the recommendation and/or satisfy the safety objective of the recommendation. Responsible agencies have assigned indicative timeframes for each safety action and ITSRR will review the appropriateness of each. Timeframes agreed with responsible companies or agencies have, to the greatest extent possible, been made realistic and achievable . Details of the Implementation Plan and progress against it may be found in Appendix 3 at page 49.

### **Classification System for Recommendations**

In order to provide a graduated view of progress against the Implementation Plan, ITSRR has developed a classification system to indicate the relative status of each recommendation. The taxonomy for the Classification System has been drawn from accepted international practice and is listed in Table 1 at page 48 below.

The process for assigning status to a recommendation is as follows:

- |        |  |
|--------|--|
| Step 1 | The Government's response to the SCOI Final Report determined which recommendations were accepted. ITSRR has articulated its expectations in regards to all remaining recommendations. |
|--------|--|



- Step 2 All accepted recommendations are assigned the status "Open - Await Response". These recommendations are then referred by ITSRR to the relevant company or agency to prepare a response to the recommendation(s) and submit it to ITSRR.
- Step 3 ITSRR reviews the response and determines whether it is acceptable or not. If it is acceptable then the status of the recommendation is assigned either "Open - Acceptable Response" or "Open - Acceptable Alternative Response". A recommendation would be assigned an "Open - Acceptable Alternative Response" status when the intent of a recommendation will be met but will be implemented by alternative means. If the response is not acceptable then the recommendation is assigned the status of "Open - Response Rejected". In this case, the company or agency is informed of the decision and requested to re-submit a revised response taking into account ITSRR's concerns. This process continues until the response to the recommendation is accepted by ITSRR.
- Step 4 ITSRR monitors progress of all accepted responses to ensure a company or agency is meeting agreed implementation timeframes. This is done through both desktop reviews of reports received by agencies and in-field inspections to verify progress claimed.
- Step 5 Once a company or agency has completed a required action it will submit to ITSRR a claim for closure of the recommendation. This application indicates that the company or agency believes it has completed the required action. The status of the recommendation is changed to "Open – Company Claims Closure".
- Step 6 In most cases, ITSRR will verify closure through an in field compliance inspection or audit. Once verification has taken

place the recommendation status is changed to indicate it is "Closed - Verified".

This process will continue until all recommendations are closed.

**TABLE 1: TAXONOMY FOR CLASSIFICATION SYSTEM**

	<b>STATUS</b>	<b>DEFINITION</b>
1.	Open – Await Response	This status is automatically assigned to an accepted recommendation. Affected parties will be asked to submit their response for implementing the recommendation to ITSRR.
2.	Open – Response Received	ITSRR has received a response from an affected party and this response is under review by ITSRR. It has not yet been accepted by ITSRR.
3.	Open – Acceptable Response	ITSRR agrees that the planned action, when completed, meets the recommendation.
4.	Open – Acceptable Alternative Response	ITSRR agrees that alternative action, when completed, satisfies the objective of the recommendation.
5.	Open – Response Rejected by ITSRR	ITSRR does not agree that the planned or alternate action meets the recommendation. The company or agency is advised of the rejection and requested to provide a revised response.
6.	Open – Company Claims Closure	The company or agency claims that the planned or alternate action has been completed. The action has not yet been verified by ITSRR. ITSRR has not yet agreed that the item is closed.
7.	Closed – Recommendation Rejected	ITSRR has determined through further analysis and review that the recommendation is not appropriate (i.e. will not achieve the desired safety outcomes) and has rejected the recommendation. It is therefore closed.

8.	Closed – No Longer Applicable	The recommendation has been overtaken by events and action is no longer required.  For example, a new technology has eliminated the reason for the recommendation, it has been superseded by other recommendations issued, or the operator affected has gone out of business.
9.	Closed – Action Verified	Completion of the planned or alternate action has been verified by ITSRR through a compliance inspection or audit.
10.	Closed – Action Not Verified	ITSRR accepts that the planned or alternate action has been completed following a review of documentation submitted. Field verification is not necessary.

## **RailCorp & Other Rail Operators**

The SCOI Final Report primarily focused on RailCorp and actions required by it to improve safety as a consequence of the Waterfall Rail Accident. In quarterly reports therefore, ITSRR will report on recommendations specific to RailCorp. However, some recommendations from the Final Report may also be relevant to other rail operators in NSW. In light of this, ITSRR has reviewed the recommendations and identified where other rail operators may also be required to improve safety operations.

Where recommendations have applicability to the wider rail industry, ITSRR will report on progress of its own actions to ensure other operators also meet the intent of SCOI recommendations and on any general areas of concern about implementation issues across the industry. Progress on specific safety actions by other rail operators will not be reported upon in ITSRR quarterly reports.

## **ITSRR**

ITSRR is also responsible for implementing recommendations from the SCOI Final Report. These quarterly reports will assess progress made by ITSRR on those recommendations. The same methodology as outlined above will be used to assess the implementation status of recommendations for which ITSRR is responsible. ITSRR has established an internal process between Divisions which allows for an independent assessment of whether recommendations are being implemented according to the Implementation Plan and to ensure status reports accurately reflect progress against the Plan. The Chief Executive must sign off on all completed actions before a recommendation is closed.

## **Remaining Agencies**

ITSRR has held meetings with the Office of Emergency Services and the Office of Transport Safety Investigation (OTSI) to review and discuss the implementation and reporting of recommendations under their responsibility. Review of responses from these agencies will also follow the process outlined above and will be reported quarterly. ITSRR has agreed to timeframes and actions with each of these agencies.

## APPENDIX 3 – IMPLEMENTATION PLAN: OUTSTANDING RECOMMENDATIONS

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
<b>Emergency response</b>						
1. Staff at the Rail Management Centre (RMC) should receive training from RailCorp to enable them to quickly and accurately assess that an emergency has occurred and to provide precise and reliable information to emergency response personnel about the location of the emergency, the available access to the site and the resources necessary.	Supported and being implemented.	RailCorp to provide: a) Evidence of Development of Training Program that addresses issues identified in the SCOI.(Includes Development Process, Training Aids / Curriculum). b) Evidence of Appropriate Assessment Competency. (Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes.	RailCorp	Open	Acceptable Response	March 2006
2. A dedicated telephone line should be established by RailCorp between the RMC and any Emergency Services Control Centre for use during any emergency.	Supported in principle and being implemented through other means. The RMC has touch screen dial up capability to Police, Fire Brigade and Ambulance. In addition, a dedicated phone line is available for Emergency Services incoming calls.	RailCorp to provide evidence of the connected services. Verification to be confirmed by: Evidence by compliance review. Evidence of testing/exercise to ensure functionality.	RailCorp	Closed	Action verified	-

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
3. A designated staff member at the RMC should act as the rail emergency management co-ordinator. He or she should be the sole point of contact at the RMC with other rail personnel involved in the rail accident and emergency services personnel during the rescue phase of the emergency response.	Supported and being implemented.	The initial requirement is for a person to be readily identified. This person needs to have access to the appropriate hardware and procedures and be prepared to act as required in the SCOI report. RailCorp to provide: a) Evidence of Development of Training Program that addresses issues. (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency. Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes. e) Evidence of Training of Skills assessment. f) Evidence of responsibilities in PD. g) Evidence of responsibilities reflected in plan.	RailCorp	Open	Company claims closure	July 2005
4. The RMC should be equipped by RailCorp with a transcriber system, or mimic board, or such other system as is necessary to enable identification of the precise location at any time of any train on the RailCorp network.	Supported in principle. The RMC is equipped with a network mimic panel that currently gives train visibility on approximately 65% of the RailCorp network. Visibility of approximately 90% is targeted for 2008. RailCorp will conduct a study of other options available, including GPS technology to provide a more precise location at any time of all operators' trains on the RailCorp network.	RailCorp to provide a detailed program to explain how the trains will be located on a board, or similar, in the RMC. Recognising that this will require some Capital expenditure, it is expected that the program will be a funded program with timelines. Functionality is to include a requirement to enable trains to be readily identified, as a minimum. Compliance review (re Current coverage of network, e.g. does it cover 65%.) Review existence of planning / funding (re 90% coverage 2008.) Existence of plans / project to review options available.	RailCorp	Open	Response Received	March 2006

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
5. All train guards should be trained by RailCorp in the use, of the MetroNet radio and instructed to use it in any emergency.	The training of guards in the use of MetroNet radio is supported and being implemented. The use of MetroNet radio by guards in emergencies is supported in principle and RailCorp will review the operational and technical issues the recommendation raises.	RailCorp to provide details of the training program that demonstrates that Guards are trained in the use of MetroNet and know how to use the system in an emergency. The program is to include: a) Evidence of Development of Training Program that addresses issues. (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency. (Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes. e) Ensure guard has access to communications. f) Assess Project Plan for Implementation.	RailCorp	Open	Acceptable response	September 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
6. Procedures should be put in place by RailCorp to ensure that electrical power supply to the area of an accident can be immediately isolated, if necessary, in the event of a rail injury or harm.	Supported and being implemented.	RailCorp to demonstrate that appropriate procedures have been established and that all appropriate staff have been trained in the procedures. The overall program is to demonstrate that procedures have been developed, with appropriate consultation. Project to include: a) Evidence of Development of Training Program that addresses issues. (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency. (Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes. e) Ensure that the procedures are included in Incident Plans.	RailCorp	Open	Acceptable response	October 2005
7. Satellite telephones should be provided by RailCorp to all rail commanders at any emergency.	Supported and being implemented.	RailCorp to provide a schedule for the purchase of Satellite Telephones. Procedure to deploy to RailCorp Rail Commander Developed. Procedures to include process to ensure telephones are in working order.	RailCorp	Open	Company claims closure	July 2005
8. All signal telephones must be maintained by RailCorp in proper working order.	Supported and being implemented.	RailCorp to demonstrate that a suitable inspection, fault rectification and maintenance plan is in place. The Maintenance Plan is to include: - process for reporting faults. - process for responding to faults. - preventative maintenance	RailCorp	Open	Acceptable response	October 2005



RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
9. All emergency services stations should be provided with access keys to, and maps showing, all gates providing access to RailCorp tracks within their geographic area of responsibility.	Supported in principle subject to discussion between RailCorp and emergency services regarding operational and security issues.	Item requires an agreement between RailCorp and Emergency Services in place on most effective means of access to information to facilitate immediate access to emergency site agreement with emergency services. RailCorp to demonstrate that details are included in the Incident Management Plans.	RailCorp/ Emergency Service Agencies	Open	Acceptable Response	June 2006
10. A railway disaster plan, or rail displan, should be developed by RailCorp and the emergency services to ensure co-ordinated inter-agency response to rail accidents and incidents on the RailCorp network.	Supported in principle and being implemented through other means. The State Emergency Management Committee advises a specific sub plan for rail would not provide additional response capability and it would not be consistent with the all Hazards approach. Instead the Commissioner's recommendations below about a specific Railway Disaster Plan will be incorporated in the overall State Disaster Plan (Displan) and RailCorp's Incident Management Framework. This Framework addresses all level of rail incidents including 'emergencies' and will be implemented early 2005.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement.	RailCorp	Open	Company claims closure	July 2005
11. The rail displan should include the use by all emergency response personnel of a uniform incident command system, involving procedures for such matters as the establishment of inner and outer perimeters, control of access to the site, orderly evacuation of injured passengers and the establishment of a staging area remote from the accident site, in a unified command structure with the site controller co-ordinating the various emergency services through representatives of each service.	Supported and being implemented through the RailCorp Incident Management Framework.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement.	RailCorp	Open	Company claims closure	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
12. The rail displan should include provision for the appointment of a rail emergency management co-ordinator at the RMC, and an on-site rail commander with the sole function of assisting and supporting the emergency services during the rescue phase of the emergency response.	Supported and being implemented through the RailCorp Incident Management Framework.	<p>RailCorp to provide:</p> <p>a) Evidence of Development of Training Program that addresses issues identified in the SCOI. (Includes Development Process, Training Aids / Curriculum).</p> <p>b) Evidence of Appropriate Assessment Competency. (Delivery of course by appropriately qualified trainers.)</p> <p>c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff.</p> <p>d) Review process built-in, to take into account relevance and changes.</p> <p>That a joint or jointly developed plan is produced by the agencies. The details of the plan are to include, amounts other things, immediate response, site management and recovery processes. Also requires the development of:</p> <ul style="list-style-type: none"> <li>- Comprehensive Incident Management Plans/Procedures.</li> <li>- Development of Network Incident Management plan with RailCorp (track Manager)</li> <li>- Training issues to ensure that staff can implement</li> </ul>	RailCorp	Open	Company claims closure	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
13. The rail displan should provide for the site controller to have complete control of the site, with other agencies coordinating with and supporting him or her, until the rescue phase of the emergency response has been completed.	Supported and being implemented through the RailCorp Incident Management Framework. The RailCorp Incident Management Framework aligns with the State Displan, which requires the site controller to have control of the incident site.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement.	RailCorp	Open	Company claims closure	July 2005
14. The incident command system should clearly identify the roles of the rail commander, site controller, police commander and commanders of the other emergency services, and the way in which each is to work together during the recovery phase of any rail accident.	Supported and being implemented through the RailCorp Incident Management Framework.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement.	RailCorp	Open	Company claims closure	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
15. The location of the command post for site control at the scene of any rail accident should be identified by NSW Police by a distinctive flashing light.	Supported and being implemented.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement. Detail also in include: - Emergency Service Action - Implementation of distinctive identification of command post.	Emergency Services Agencies	Open	Acceptable Response	March 2006
16. The role of the rail commander should be to provide support and assistance to the site controller and emergency services personnel until the rescue phase of the emergency response to any rail accident is completed.	Supported and being implemented through the RailCorp Incident Management Framework.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with ARTC RailCorp (Track Manager). - Training Issues to ensure that staff can implement.	RailCorp	Open	Company claims closure	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
17. The rail commander should have complete authority to direct and control any rail employees attending the site of a rail accident, in accordance with directions given or arrangements put in place by the site controller, until the rescue phase of the emergency response to the rail accident has been completed.	Supported and being implemented through the Incident Management Framework.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement.	RailCorp	Open	Company claims closure	July 2005
18. RailCorp should develop and implement an emergency response plan for management of all rail accidents. Such a plan should be subsumed by the rail displan in the case of serious accidents or incidents.	Supported and being implemented through the RailCorp Incident Management Framework. The RailCorp Incident Management Framework was developed in consultation with emergency service agencies and it aligns with the State Disaster Plan	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement.	RailCorp	Open	Company claims closure	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
19. The RailCorp emergency response plan should include action checklists of the steps that each employee is required to take, and the order for specific employees to follow in case of emergency.	Supported and being implemented through the Incident Management Framework.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement. - Development / Implementation of checklists. Distribution of the checklists and alignment with the staff training and emergency exercises.	RailCorp	Open	Acceptable Response	October 2005
20. All operational rail staff should be trained by RailCorp in the action check list relevant to each.	Supported.	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are to include, amongst other things: immediate response, site management and recovery processes. Also requires the development of: - Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues to ensure that staff can implement. - Development/ Implementation of checklists. - Distribution of the checklists and alignment with the staff training and emergency exercises.	RailCorp	Open	Acceptable Response	June 2006

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
21. The RailCorp emergency response plan should be provided to all emergency response agencies. The officers of each emergency service should be trained in any rail specific features of the plan, so as to better ensure inter-agency coordination in the circumstances of an emergency.	Supported in principle and being implemented through other means. The RailCorp Incident Management Framework will be given to all emergency response agencies. In addition, RailCorp has provided access to emergency services to railway equipment for training purposes. RailCorp has also produced a DVD covering rail specific emergency response matters for use by the emergency services for training their staff. 500 DVDs have been given to each of Fire Services, Ambulance and Police. Emergency services personnel will be trained in rail hazard awareness using material provided by RailCorp. The very large number of emergency response personnel (including volunteer services) that may respond to a rail incident, means training of all personnel in the RailCorp Framework is unlikely to be achievable. Emergency Services will investigate with RailCorp extension of the DVD into a multimedia resource to improve the ability to educate wider numbers of emergency service workers.	The training program needs to be managed and implemented jointly by the Emergency Services and RailCorp. Details of the implementation program should include: - Existence of Comprehensive Incident Management Plans/Procedures. Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues. - Liaison communication with Emergency Services. - The RailCorp Incident report framework needs to be provided to Emergency services. Emergency services to determine how best and who to train in the Incident Management framework.	RailCorp / Emergency service Agencies	Open	Acceptable Response	March 2006
22. The RailCorp emergency response plan should include a requirement for the debriefing of all senior rail and emergency response personnel involved in any rail accident, so as to determine the way or ways in which emergency response arrangements for rail accidents can be continually improved, and thereafter implement such improvements.	Supported and being implemented.	The details of the debriefing sessions to be included in RailCorp procedures and plans. The content of the debriefs should be reviewed to ensure that it addresses the effectiveness, on a case by case basis, of the Incident Management Plans/Procedures - especially liaison issues with Emergency Services, Network Incident Management plan with RailCorp, if used, and Training Issues, if they are found to be a factor.	RailCorp	Open	Company claims closure	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
23. All emergency response personnel should be specifically trained in the features of railways which are relevant to their work, such as the location and means of operation of all emergency door releases on trains, the location and use of signal telephones, the methods by which electrical power can be isolated and the means by which they can readily identify and obtain information from the on-site rail commander.	Supported in principle and being implemented through other means. See R 21.	The training program needs to be managed and implemented jointly by the Emergency Services and RailCorp. Details of the implementation program should include: - Existence of Comprehensive Incident Management Plans/Procedures. - Development of Network Incident Management plan with RailCorp (Track Manager). - Training Issues. - Liaison communication with Emergency Services. - The RailCorp Incident report framework needs to be provided to Emergency services. Emergency services to determine how best and who to train in the Incident Management framework. - Appropriate agreements/ arrangements in place between Rail Operators and Emergency Services.	RailCorp/ Emergency service Agencies	Open	Acceptable Response	March 2006
24. Regular field training exercises should be conducted by RailCorp with the emergency services to ensure that the incident command system and rail displa are able to be fully implemented as quickly as possible and are reviewed and improved.	Supported and being implemented.	Program established for exercise in consultation with Emergency Services.	RailCorp / Emergency service Agencies	Open	Acceptable Response	October 2005



RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
25. Uniform verbal descriptions identifying that power has been isolated should be developed by RailCorp and utilised by all railway personnel, electrical service providers and all emergency response personnel.	Supported and being implemented.	RailCorp to provide: Procedures Developed (Including Appropriate Consultation Development.) a) Evidence of Development of Training Program that addresses issues. (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency. (Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes. e) Ensure included in Incident Management Plans.	RailCorp	Open	Acceptable Response	October 2005
26. All rail employees should be trained by their employer to commence any emergency communication with the words "Emergency, emergency, emergency", thereafter to identify themselves, the train, its location, what has occurred, the approximate passenger load and whether death or injuries have occurred.	Supported and being implemented.	RailCorp to provide: a) Appropriate Training for operational and non-operational staff in emergency communication procedures. b) Evidence of Development of Training Program that addresses issues. (Includes Development Process, Training Aids / Curriculum.) c) Evidence of Appropriate Assessment Competency (Delivery of course by appropriately qualified trainers.) d) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. e) Review process built-in, to take into account relevance and changes.	RailCorp	Open	Acceptable Response	September 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
27. A direct line of communication should be established between the RMC and Emergency Services Operations Control Centre by a "tie line" or otherwise, so as to ensure that in the case of a serious rail accident there is an open line of communication between the officer in charge of the management of the incident at the RMC and the various emergency response services.	Supported in principle and being implemented through other means. See also R 2. The RMC has touch screen dial up capability to Police, Fire Brigade and Ambulance. In addition, a dedicated phone line is available for Emergency Services incoming calls.	RailCorp to provide evidence of the connected services. Verification to be confirmed by: - Evidence by compliance review. - Evidence of testing/exercise to ensure functionality.	RailCorp	Closed	Action verified	
28. A training centre for emergency services personnel should be established by RailCorp. The emergency services personnel should be required to undertake training at such a centre, which should be equipped with features replicating railway infrastructure and rolling stock.	Supported and being implemented. An emergency services training facility is in place at Redfern with a platform, double decker carriage and black-out facilities.  Petersham now nominated in place of Redfern.	RailCorp and Emergency Services Agencies to review appropriateness and suitability of existing facilities. determine and implement these arrangements.	RailCorp / Emergency service Authorities	Open	Acceptable Response	Quarter 1 2006
<b>Design and procurement of rolling stock</b>						
29. All railway owners and operators should have a quality assurance program for the design and construction of rolling stock and regular review of construction to ensure that the rolling stock satisfies the original functional performance specifications.	Supported and being implemented.	ITSRR will ensure through its accreditation process that operators have detailed procedures for the design, construction and introduction of any new rolling stock.	ITSRR	Open	Acceptable Response	June 2006

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
30. The rail safety regulator should set standards for the design, manufacture, testing and commissioning of rolling stock to ensure that the rolling stock is fit for its purpose.	Supported in principle and being implemented through other means. ITSRR will introduce regulations including for rolling stock that set out the expectations (or performance outcomes) required of industry. The regulations will be developed on a national basis, through the National Transport Commission process, to ensure consistent application across the Australian rail industry. Notwithstanding the expectation that industry will develop and maintain appropriate safety standards, ITSRR will retain the power to mandate such standards if the industry clearly fails to deliver satisfactory safety outcomes.	ITSRR will refer matter to NTC for development of National Regulation.  In the interim, ITSRR will require operators, through the accreditation process to meet existing industry standards for rolling stock acquisition, including AS4292, rolling stock units, Train Operating Conditions and Industry technical codes..	ITSRR	Open	Acceptable Response	*November 2005
<b>Driver safety systems</b>						
31. All trains must be fitted with a minimum of two independent engineering defences to minimise the risk of derailment or collision in the event of train driver incapacitation.	Supported in principle for further review. ITSRR supports this for driver-only operations and will review its application on an industry-wide basis. It has been implemented on all RailCorp passenger trains. Driver safety systems and train protection systems are interrelated but may also be implemented independently. Recommendations 31-33 need to be reviewed in light of this relationship. All RailCorp passenger rollingstock have a minimum of two engineering defences (deadman, vigilance, trainstops) except 600 class (those operating in the Hunter Valley) which will be replaced from the end of 2005 with rollingstock that complies with this requirement. In the meantime on 600 class, the train guard travels with the driver as added protection for driver incapacitation.	ITSRR currently requires through the existing accreditation process all driver – only trains (ie one person in the drivers cab) to be fitted with two independent engineering defences. ITSRR to develop and lead a review of the need for a second engineering defence in non-driver only trains. ITSRR to establish position following review.	ITSRR	Open	Acceptable Response	December 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
32. RailCorp should progressively implement, within a reasonable time, level 2 automatic train protection with the features identified in chapter 7 of this report.	Requires further detailed review. The Government supports the implementation of additional train protection systems. Implementation of level 2 ATP as detailed in the recommendation would involve the replacement of all line-side signalling on the RailCorp network with on-train control systems. In addition every intra and inter-state train accessing the network would also need to be equipped with level 2 ATP technology. RailCorp has already retained consultants to undertake evaluation and risk assessment regarding implementation of additional automatic train protection systems on the RailCorp network. RailCorp will work with the Australian Rail Track Corporation (which operates the interstate network) to develop, in conjunction with ITSRR and interstate rail regulators, a national standard for an automatic train protection system. RailCorp will also undertake a comprehensive review which will include a risk assessment, technical feasibility and cost benefit analysis of introducing level 1 ATP as well as level 2 ATP, as recommended by the Commission. Consistent with recommendation 34 any future options will need to be assessed by independent verification of acceptable risk.	A detailed technical review of available options. This is to be a project lead by RailCorp. The major outcome of the project is to be a business case for Government concerning ATP.	RailCorp	Open	Acceptable Response	September 2006
33. All new rolling stock should be designed to be compatible with at least level 2 automatic train protection discussed in chapter 7 of this report.	Requires further detailed review. See R 32.	Recommendation incorporated into review that will be undertaken in response to Recommendation 32.  ITSRR will refer matter to NTC for the development of regulation/standards for rolling stock.	ITSRR	Open	Acceptable Response	*November 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
<b>Risk assessment and risk control procedures</b>						
34. RailCorp should undertake risk assessments of each of its activities as follows:	Supported and being implemented. RailCorp has undertaken the development of a Risk Management Framework, with the assistance of external safety experts. The draft Risk Management Framework will be assessed against Recommendations 34 (a) to (h) to ensure the Framework addresses them.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).	RailCorp	Open	Acceptable Response	October 2005
(a) identify the features of the system, subsystem or activities that are to be risk assessed and managed, to determine what makes the system work in terms of equipment, infrastructure and human factors;	Supported and being implemented.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).		Open	Acceptable Response	October 2005
(b) identify all hazards that may exist within the particular system, subsystem or activity, whether it is a driver safety system, passenger safety system, engineering design system, train maintenance system or involves human factors or performance;	Supported and being implemented.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).		Open	Acceptable Response	October 2005
(c) identify what controls are in place to eliminate or minimise the risks associated with any identified hazard;	Supported and being implemented.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).		Open	Acceptable Response	October 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(d) test the validity of the controls to ensure that the risk is eliminated or reduced to an acceptable level and, if not, institute additional or further control measures;	Supported and being implemented.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).		Open	Acceptable Response	October 2005
(e) specify, in safety documentation, the level of any residual risk;	Supported and being implemented.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).		Open	Acceptable Response	October 2005
(f) in the case of low probability, high consequence risks retain the services of an independent verifier of the risk assessments and controls to certify that all risks of such potentially catastrophic accidents have either been eliminated, or controlled to the extent identified by the independent expert;	Supported in principle for further review. RailCorp will investigate the availability of independent experts willing to undertake this certification role.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).		Open	Acceptable Response	October 2005
(g) the Board of RailCorp certify that it regards any residual risk of a high consequence, low probability accident as acceptable, notwithstanding the severity of the consequences, by reason of the cost of further measures to control the risk; and	Supported in principle and being implemented through other means The RailCorp Board is prepared to certify that the risk management processes designed to achieve this are in place.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).		Open	Acceptable Response	October 2005
(h) provide to ITSRR records of the processes of hazard identification, risk assessment, risk control, independent verification and certification, and any Board certification relating to any high consequence, low probability accident.	Supported.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).		Open	Acceptable Response	October 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
35. The ITSRR should conduct its own risk assessment in relation to the risk of any such high consequence, low probability accident and, if necessary, direct RailCorp to conduct a further risk assessment to reduce the level of residual risk to a level ITSRR regards as acceptable.	Not supported. ITSRR is working with industry at the national level to identify appropriate risk assessment methods and consistent standards for regulators to accept risk assessments. This will provide rail operators with guidance on the level and depth of risk assessment required by them as part of Accreditation. ITSRR has undertaken a Risk Vulnerability Study to identify the significant risks faced by Rail Operators and the corresponding risk control measures. The National Transport Commission is also developing a Risk Acceptance Criteria Project to provide further guidance to the rail industry on acceptable levels of risk. ITSRR's role in relation to operator risk assessment is to ensure that they have the competence and capacity to identify and control risks.	Rejected. Closed.	Not Assigned	Closed	Recommendation Rejected	
<b>Data loggers</b>						
36. The ITSRR should impose a standard in relation to the collection and use of data from data loggers.	Supported in principle for implementation through other means. ITSRR will introduce regulations including for data loggers that set out the expectations (or performance outcomes) required of industry. The regulations will be developed on a national basis, through the National Transport Commission process, to ensure consistent application across the Australian rail industry. Notwithstanding the expectation that industry will develop and maintain appropriate safety standards, ITSRR will retain the power to mandate such standards if the industry clearly fails to deliver satisfactory safety outcomes.	ITSRR will refer matter to NTC for development of National Regulation In the interim, ITSRR will review existing standards set in access agreements to ensure adequate standards for collection and use of data.	ITSRR	Open	Acceptable response	*November 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
37. The standard in relation to the collection and use of data from data loggers should provide that such information must be accessed in the circumstances of any accident or incident and can be accessed to monitor driver performance generally.	Supported in principle for implementation through other means. (See R 36) Information from data loggers can be accessed to monitor for any incident or accident and can be accessed to monitor a driver's performance generally.	ITSRR will refer matter NTC for development of National Regulation ITSRR will adopt National Regulation In the interim, ITSRR will seek from RailCorp proposals to improve the monitoring of driver performance (especially for training purposes)	ITSRR	Open	Acceptable response	*November 2005
<b>Communications</b>						
38. There must be compatibility of communications systems throughout the rail network. It is essential that all train drivers, train controllers, signallers, train guards and supervisors of trackside work gangs in New South Wales be able to communicate using the same technology.	Supported and being implemented. The National Standing Committee of Transport endorsed the Australasian Railway Association working with operators and regulators, including RailCorp and ITSRR, to develop a national approach on communications systems, which has agreed minimum functionality requirements for train radio systems. RailCorp plans to implement a digital train radio system. An objective of this system is for it to be interoperable with existing analogue radio systems. Because of the technical complexities associated with achieving inter-operability, this has been a longer-term initiative and the first stage of its implementation will commence in 2005.	ITSRR to ensure functionality and compatibility requirements included in national standard, currently under development by the Australasian Railway Association. . ITSRR to ensure RailCorp/ARTC Radio Functionality for next generation technology compatibility requirements.	ITSRR	Open	Acceptable response	2010



RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
39. Communications procedures must be standardised throughout the rail network, so that all railway employees describe the same subject matter in an identical way.	Supported. RailCorp Network Procedures contain standardised communications procedures, which are in place across the NSW network. ITSRR will introduce regulations including for communications that set out the expectations (or performance outcomes) required of industry. The regulations will be developed on a national basis, through the National Transport Commission process, to ensure consistent application across the Australian rail industry.	ITSRR to ensure that standard communications procedures are included in Network rules. ITSRR to ensure that appropriate Training is provided by operator including: a) Evidence of Development of Training Program that addresses issues. (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency. (Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes. ITSRR will refer matter to the NTC for development of National regulations.	ITSRR	Open	Acceptable response	*November 2005
40. All RMC communications related staff should be selected upon the basis of the ability to convey information clearly, accurately and concisely and to follow strict communications protocols.	Supported.	Appropriate Selection Criteria Developed. Appropriate weighing given to Developed Selection Criteria when selecting staff.	RailCorp	Open	Acceptable response	July 2005
41. All communications protocols must be strictly enforced by all accredited rail organisations.	Supported.	ITSRR to ensure that rail operators have internal processes in place to audit and monitor compliance with protocols. ITSRR will enforce these systems through its compliance & inspection program	ITSRR	Open	Acceptable response	December 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
42. The ITSRR should audit the RMC to ensure communications protocols are being followed. The sanction for non-compliance with communications protocols should be identical to that in the aviation industry and involve immediate removal from duty. Any RailCorp employee not following communications protocols should be required to undertake further training. If, following return to duties after such training, the officer continues to fail to comply with communications protocols, that officer is not to be employed in communications related work.	Supported in principle and being implemented through other means. ITSRR will take action against operators who fail to manage non-compliance with these protocols.	ITSRR to ensure that Communications protocols are included as a specific compliance/audit criteria in ITSRR's compliance and Audit program. ITSRR will also review operators processes to ensure they have systems in place to effectively deal with non-compliant staff.	ITSRR	Open	Acceptable response	December 2005
43. Communications protocols and procedures should be standardised and mandated by regulations making them a condition of accreditation.	Supported. As for R 39.	ITSRR will refer matter to NTC for development of National Regulation ITSRR will adopt National Regulation In the interim, ITSRR will enforce compliance with the current protocols through its accreditation, audit and compliance activities.	ITSRR	Open	Acceptable response	*November 2005
44. ITSRR should ensure, as a condition of accreditation, each of these recommendations is carried into effect and should audit against them to enforce compliance.	Supported. As for R 39.	ITSRR will include these requirements as specific criteria in ITSRR's compliance inspection and audit program	ITSRR	Open	Acceptable response	December 2005
45. The ITSRR should conduct random audits of accredited rail organisations for compliance with communications protocols.	Supported and being implemented.	ITSRR will specifically audit train recordings to determine actual compliance in the field.	ITSRR	Open	Acceptable response	December 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
46. There should be interoperability of communications equipment between all trains operating on the New South Wales rail network.	Supported and being implemented. Interoperability is defined in terms of the driver having one hand-set with interfaces to allow communications with the appropriate operating personnel. It does not imply a single all-users radio system. The National Standing Committee of Transport endorsed the Australasian Railway Association working with operators and regulators, including RailCorp and ITSRR, to develop a national approach on communications systems, which has agreed minimum functionality requirements for train radio systems. RailCorp plans to implement a digital train radio system. An objective of this system is for it to be interoperable with existing analogue radio systems. Because of the technical complexities associated with achieving inter-operability, this has been a longer-term initiative and the first stage of its implementation will commence in 2005.	ITSRR to ensure compatibility requirements included in national standard currently being developed by the ARA. ITSRR to ensure RailCorp/ARTC Radio Functionality for next generation technology addresses compatibility requirements. In the interim ITSRR will mandate through regulation the requirement for train radio communications equipment that allows communication between all trains operating on the NSW network in an emergency situation.	ITSRR	Open	Acceptable response	September 2005
<b>Train maintenance</b>						
47. Defects reporting, recording and rectification should be integrated with the RailCorp regimes for train maintenance.	Supported and being implemented.	RailCorp to have effective Maintenance Regime in place that ensures integration of defects reporting, recording and recertification.	RailCorp	Open	Company Claims Closure	June 2005
48. All train drivers' defects reports should be entered by RailCorp into a computerised record and tracked to finalisation.	Supported and being implemented.	RailCorp to have effective procedures and database to ensure all defects reports are entered and tracked to finalisation.	RailCorp	Open	Company Claims Closure	June 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
49. No RailCorp train should enter into revenue service or remain in service if, in the opinion of the driver in charge of that train, any defect in it creates a risk of injury.	Supported.	RailCorp to have instructions in place clearly identifying issue when a train is not to enter or remain in service. RailCorp to have process to ensure all relevant staff aware of requirements.	RailCorp	Open	Company Claims Closure	June 2005
50. All reported train defects should be certified by a person in a supervisory position in RailCorp as having been rectified.	Supported and being implemented. a supervisory position in RailCorp as having been rectified.	RailCorp to have identified an appropriate position to sign off train defects that have been rectified. RailCorp to have implemented procedures to support and implement process.	RailCorp	Open	Acceptable response	September 2006
51. The RailCorp defects unit should be combined with the passenger fleet maintenance division of RailCorp.	Supported and being implemented.	RailCorp defects unit combined with the passenger fleet maintenance division. Appropriate processes and procedures in place.	RailCorp	Open	Company Claims Closure	
52. Maintenance plans on all trains should be revised annually.	Supported in principle for further review. All maintenance plans are being reviewed. RailCorp will incorporate this recommendation in that review.	All plans reviewed. Process to ensure regular / appropriate reviews take place	RailCorp	Open	Acceptable response	December 2006 ELEC June 2006 Diesel
53. Train inspections should be carried out at the time of stabling RailCorp trains, as well as a part of train preparation prior to entering service.	Supported in principle for further review. RailCorp is reviewing procedures and resources to rectify defects. RailCorp provides time for drivers of stabling trains to report any noted defect.	A documented risk assessment and/or business case by RailCorp detailing how train integrity on entering into service is to be managed	RailCorp	Open	Acceptable response	October 2005
<b>Alcohol and drug testing</b>						

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
54. Random alcohol testing should be continued.	Supported.	ITSRR to ensure current programs continue	ITSRR	Open	Company Claims Closure	June 2005
55. Alcohol and drug testing should be mandatory for any train driver or guard involved in any accident or incident.	Supported. ITSRR will review this recommendation as part of its ongoing involvement in checking Drug & Alcohol Programs of rail operators. RailCorp currently tests randomly for drugs and alcohol and allows for drug and alcohol testing to be undertaken for safety-related accidents and incidents.	ITSRR to Develop guideline on when/which accidents/incidents require mandatory testing.	ITSRR	Open	Acceptable response	December 2005
56. RailCorp should continue its system of voluntary self-identification and rehabilitation of employees with alcohol or drug related problems.	Supported.	RailCorp has voluntary self-identification system and rehabilitation of employees with alcohol / drug related problems. Current program continues	RailCorp	Closed	Action Verified	
<b>Periodic medical examinations</b>						
57. The ITSRR should develop standards for periodic medical examinations which include the following:		ITSRR to ensure standard is in place	ITSRR	Open	Acceptable Response	
(a) all medical examinations of safety critical employees must contain a predictive element, including use of a cardiac risk factor predictions chart to assess risk of sudden incapacitation, and follow-up procedures, where indicated;	Supported and being implemented. A National Standard for Medical Health Assessments for the rail industry is in place.	Implemented in current standard		Closed	Action Verified	

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(b) medical examinations must be conducted by medical practitioners with an understanding of the duties and responsibilities of the safety critical employees being examined;	Implemented.	Implemented in current standard		Closed	Action Verified	
(c) a medical practitioner conducting such a medical examination should, with the employee's consent, have access to his or her medical history. If such consent is not given, the employee must be required to undertake a more exhaustive medical examination with specialist diagnostic procedures;	Implemented.	Implemented in current standard		Closed	Action Verified	
(d) all such medical examinations must be reviewed on behalf of the employer by an occupational physician;	Supported. ITSRR will submit this recommendation to the National Transport Commission (NTC) for consideration as part of the National Standard.	ITSRR will submit recommendation to NTC for consideration in context of current standard		Open	Acceptable response	*November 2005
(e) appropriate follow up examinations, such as a stress ECG or examination by a cardiologist, must be arranged for any safety critical employee whom the occupational physician believes may be at risk of sudden incapacitation;	Supported. ITSRR will submit this recommendation to the National Transport Commission for consideration as part of the National Standard.	ITSRR will submit recommendation to NTC for consideration in context of current standard		Open	Acceptable response	*November 2005
(f) medical histories of employees should be monitored by an occupational physician to enable identification of any trends that may indicate a deteriorating state of health;	Supported in principle and being implemented through other means. The standard requires follow-up examinations to be arranged for safety critical workers whom the examining doctor (AHP) believes may be at risk of sudden incapacitation. *Note The Health Assessment Standards refer to an Authorised Health Professional, who is not necessarily an occupational physician but is a doctor who has received the appropriate training.	ITSRR will submit recommendation to NTC for consideration in context of current standard		Open	Acceptable response	*November 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(g) routine basic psychological screening, by means of a questionnaire such as the KIO questionnaire, should form part of periodical medical examinations;	Supported.and Implemented	Implemented in current standard		Closed	Action Verified	
(h) medical standards should be reviewed at least every five years to ensure that recent advances in medical knowledge and technology are utilised; and	Supported and implemented.	Implemented in current standard.		Closed	Action Verified	
(i) periodic examination standards prescribed by ITSRR should take into consideration medical standards for safety critical rail staff prescribed elsewhere in Australia to ensure, so far as possible, uniformity of such standards.	Implemented. The national standard is to be reviewed every five years.	Implemented. in current standard		Closed	Action Verified	
<b>Safety document control</b>						
58. RailCorp should establish a comprehensive safety document management system.	Supported.	RailCorp Safety Document Management System to be Implemented which incorporates recommendation 59-62.	RailCorp	Open	Acceptable response	October 2005
59. The safety document management system should provide for the distribution of electronic versions of safety documentation to relevant staff.	Supported and being implemented.	The Rail Safety Document Management System ensures the distribution of electronic versions of safety documentation to relevant staff.	RailCorp	Open	Acceptable response	October 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
60. RailCorp should employ a Chief Safety Information Officer to manage the collection, collation information within RailCorp.	Supported in principle and being implemented through other means. RailCorp has employed a Manager Information Systems within Corporate Safety Group whose role and accountabilities include these requirements.	Position established. Position Description reflects appropriate responsibilities and accountabilities.	RailCorp	Closed	Action Verified	
61. RailCorp should provide access to electronic versions of safety documentation for all operational staff at their workplace.	Supported in principle for further review. RailCorp is reviewing options for providing all staff with the best and appropriate means of accessing safety documentation, including by electronic means.	The Rail Safety Document Management System ensures the distribution of electronic versions of safety documentation to relevant staff. Procedures in place so that all operational staff can access safety documentation at appropriate times.	RailCorp	Open	Acceptable response	June 2006
62. The ITSRR should have permanent access to the RailCorp intranet.	Supported in principle for implementation through other means. ITSRR has a number of means available to it to obtain information from RailCorp and other rail operators when required, including access to an operator's intranet where electronic safety information is maintained. This occurs for example during an audit of an operator.	RailCorp and ITSRR to reach agreement on the access requirement	RailCorp	Closed	Action Verified	
63. The ITSRR should establish an electronic document control system to enable effective and reliable information to be gathered for monitoring the safety of the New South Wales rail system.	Supported and being implemented.	ITSRR establish and implement electronic document control system. Appropriate policy, procedures and training developed.	ITSRR	Open	Acceptable response	September 2005
64. RailCorp and ITSRR should co-operate with national programs for the collection, collation, trend analysis and dissemination of safety critical information.	Supported and being implemented.	ITSRR continues its active participation in the National Rail Occurrence Database (NROD) and provides guidelines to Industry on reporting requirements consistent with NROD.	ITSRR	Closed	Action Verified	



RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
Train driver and guard training						
65 Recommendations one to seven of the final report of the Special Commission of Inquiry into the Glenbrook Rail Accident should be fully implemented, save that the random auditing referred to in recommendations five and seven should be carried out by ITSRR.	Supported and being implemented. ITSRR and RailCorp will review the implementation of all the seven recommendations in light of the Waterfall Inquiry.	RailCorp to conduct an Audit review of Recommendations 1-7 of Glenbrook report. RailCorp to develop an overall training development program based on competences identified in Glenbrook Recommendations 1-7. This is expected to deal with training related issues identified in recommendations from SCOI/Glenbrook.	RailCorp	Open	Acceptable Response	July 2005
66. RailCorp should use its simulators in an interactive manner.	Supported and being implemented.	RailCorp to provide: a) Evidence of Development of Training Program that addresses issues in recommendations 66-70 (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency.(Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes.	RailCorp	Open	Company Claims Closure	June 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
67. RailCorp should use its simulators to train drivers and guards in methods of dealing with degraded operations on the rail network.	Supported and being implemented.	RailCorp to provide: a) Evidence of Development of Training Program that addresses issues in recommendations 66-70 (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency.(Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes.	RailCorp	Open	Company Claims Closure	June 2005
68. Train driver and guard training should encourage teamwork and discourage authority gradients.	Supported and being implemented.	RailCorp to provide: a) Evidence of Development of Training Program that addresses issues in recommendations 66-70 (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency.(Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes.	RailCorp	Open	Acceptable response	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
69. RailCorp must establish a task analysis for particular categories of employees, to identify the specific skills and responsibility of those employees or groups of employees, and thereafter undertake a training needs analysis, to develop the skills required in particular areas.	Supported and being implemented.	RailCorp to provide:  a) Evidence of Development of Training Program that addresses issues in recommendations 66-70 (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency.(Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes.	RailCorp	Open	Acceptable response	June 2006
70. Training should be based upon a needs analysis, to determine what skills a particular person will require to carry out the tasks of any position safely and efficiently, and instruction and practice, to acquire and demonstrate those skills.	Supported and being implemented.	RailCorp to provide evidence of a corporate system to identify skills development requirements based on a needs analysis.	RailCorp	Open	Response recieved	December 2006
71. The position of team leader should be created by RailCorp to be responsible for a group of approximately 30 train drivers, with responsibility to ensure that each train driver's training needs are being met and that any safety concerns of train drivers are being properly addressed. The team leaders are to have direct access to the Chief Executive of RailCorp if any safety concerns they have are not addressed.	Supported in principle for further review. RailCorp is reviewing the current supervisory structure of train crewing in light of this recommendation.	Creation and introduction of appropriate position to carry out functions outlined in Rec 71.	RailCorp	Open	Acceptable response	September 2006

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
<b>Rail accident investigation</b>						
72. The New South Wales Government should make the necessary arrangements with the Australian Government, including any necessary legislation, for the Australian Transport Safety Bureau (ATSB) to have the power to investigate all rail accidents occurring on the New South Wales rail network the investigation of which may advance the knowledge of the causes of rail accidents in Australia.	Supported in principle. The Minister for Transport has written to the Commonwealth Minister for Transport to initiate negotiations on the appropriate mechanisms to enable the ATSB to undertake investigations referred to it by the NSW Government. This may require legislation in NSW via state referral of power to the Commonwealth.	Review and develop appropriate MOU. Mechanisms in place to provide for ATSB to undertake investigations referred to it by the NSW Government.	OTSI	Open	Acceptable response	December 2005
73. The ITSRR should ensure that OTSI, as a division of ITSRR, cooperates and assists the ATSB in the conduct of any independent investigation by the ATSB of any rail accident or incident in New South Wales.	Supported in principle. See R 72	Review and develop appropriate MOU.	OTSI	Open	Acceptable response	December 2005
74. The ATSB should deliver any report of any such rail accident which it investigates to the Board of any rail organisation involved in the accident, ITSRR and the Minister for Transport Services.	Supported in principle. See R 72	Review and develop appropriate MOU.	OTSI	Open	Acceptable response	December 2005
75. All ATSB accident investigation reports should be made public.	Supported. The NSW Government is advised the accident investigation reports are already published by this Commonwealth agency.	ITSRR to confirm with ATSB that its investigation reports are made public.	ITSRR	Closed	Action verified	

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
76. The ITSRR should establish a data and information management system, containing all data and information that it requires, to continually monitor the safety of the New South Wales rail system.	Supported and being implemented.	ITSRR will amend its Data and Information management system to incorporate requirements of recommendation 76-77.	ITSRR	Open	Acceptable response	December 2005
77. The data and information management system should be compatible with any data and information management system established by the ATSB for the designated interstate rail network, provided that the establishment of a compatible system does not reduce the amount or quality of the information obtained by ITSRR below the optimum levels which it needs to conduct trend analysis, and otherwise properly manage the safety of rail operations in New South Wales.	Supported in principle and being implemented through other means. See also R 64. NSW already shares data with the ATSB and is working with other agencies in a project being managed by ATSB to expand the range of information which can be shared between all relevant agencies.	ITSRR will amend its Data and Information management system to incorporate requirements of recommendation 76-77.	ITSRR	Closed	Action verified	
78. The OTSI should continue to conduct rail accident investigations on behalf of ITSRR and report directly to the Chief Executive of ITSRR.	Supported in principle and being implemented other means. OTSI will be established as a separate agency independent of ITSRR, reporting directly to the Minister for Transport. OTSI will continue to conduct "just culture" investigations in NSW.	OTSI established as a separate agency to ITSRR.	ITSRR	Closed	Action verified	
79. The relevant legislation should be amended to provide expressly that OTSI and the Chief Investigator have the power to initiate a rail accident or incident investigation.	Supported.	Legislation amended to provide for OTSI / Chief Investigator to initiate a rail accident/incident investigation.	ITSRR	Closed	Action verified	
80. Any barriers to communication between OTSI and ITSRR should be removed, so as to ensure that any findings made by OTSI in relation to any investigation it conducts are reported immediately to ITSRR.	Supported.	Develop MOU between OTSI and ITSRR	ITSRR	Open	Acceptable response	December 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
81. All reports of the Chief Investigator of OTSI should be delivered, upon completion and without being reviewed, to ITSRR and the Minister for Transport Services.	Supported.	Legislation already provides for OTSI reports to go to Minister for tabling in parliament. ITSRR receives OTSI investigation reports as an interested party. This process will be incorporated into the MOU between OTSI and ITSRR.	OTSI	Open	Acceptable response	December 2005
82. Legislation should be enacted and any necessary arrangements made, to enable the ATSB to review any reports of any investigation by a rail organisation or the OTSI into any serious incident or accident in New South Wales.	Supported in principle for further review. See R 72.	Review and develop appropriate MOU.	OTSI	Open	Acceptable response	December 2005
<b>Safety culture</b>						
83. RailCorp should develop a plan to be submitted to ITSRR to address the deficiencies in the safety culture of RailCorp, including:		RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)	RailCorp	Open	Acceptable response	December 2005
(a) the means whereby RailCorp proposes to ensure that all its operational, administrative and managerial staff consider the safety implications of any decision or action undertaken by them;	Supported and being implemented.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(b) the means whereby any distrust between management and operational staff is removed and replaced by a culture in which the whole organisation is motivated towards the safe conduct of its transportation activities;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(c) the means whereby RailCorp proposes to implement a just culture instead of a blame culture;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(d) the means whereby RailCorp proposes to establish and implement accountability and responsibility of individuals for the safety of the activities that they undertake;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(e) the means whereby RailCorp proposes to measure the safety performance of all individuals with accountabilities and responsibilities for safety, for the purpose of determining whether their level of safety performance is satisfactory;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(f) the means whereby the Board of Directors, the Chief Executive and the Group General Managers intend, by their actions and behaviour, to foster the development of a safety culture in the organisation;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(g) the means whereby RailCorp proposes to reward employees for bringing safety issues to the attention of management, and the means whereby the management of the organisation proposes to track the safety issues raised, to ensure continual safety improvement;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(h) the means, generally, whereby RailCorp intends to replace the present culture of on-time running with a culture encouraging safe, efficient and reliable provision of rail services;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(i) the means whereby RailCorp proposes to ensure that communications protocols are followed by the employees of the RMC and all other employees engaged in safety critical work;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(j) the means whereby RailCorp proposes to set safety targets for the reduction of incidents overall, and incidents in particular classes, and the means whereby the relevant information is to be kept and collated for the purpose of measuring safety performance in those areas;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(k) the means whereby employees responsible for particular areas are rewarded for safety improvements in their areas of activity;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(l) the means whereby RailCorp intends to integrate safety in all aspects and at all levels of the transportation activities which it undertakes;	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005



RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(m) the means whereby RailCorp proposes to train staff in processes of hazard analysis and risk management relevant to the particular activities that they conduct; and	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
(n) the means whereby RailCorp is to integrate the management of safety in all aspects into the general management of its business undertaking.	The RailCorp safety culture program will be reviewed to ensure compliance with this recommendation.	RailCorp to develop safety culture program which incorporates recommendation 83 (a) - (n)		Open	Acceptable response	October 2005
84. If ITSRR accepts such a plan as an appropriate response to the existing weak safety culture, ITSRR should approve it and monitor the effectiveness of the plan.	Supported in principle. ITSRR is reviewing the process used to develop the Plan. ITSRR will also review the Plan as submitted and monitor its effectiveness.	ITSRR reviews RailCorp's plan and assess whether it incorporates recommendation 83(a) - (n) ITSRR monitors implementation of plan	ITSRR	Open	Acceptable response	Quarter 4 2005
<b>Occupational health and safety</b>						
85. RailCorp's approach to occupational health and safety should be proactive and involve the systematic analysis of all current hazards, risks and controls and an assessment of their adequacy to reduce the risk of injury to, or death of, employees to an acceptable level.	Supported and being implemented.	RailCorp to demonstrate the implementation of an integrated SMS as detailed in their accreditation application	RailCorp	Open	Company Claims Closure	June 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
86. RailCorp should integrate its management of occupational health and safety into its overall safety management.	Supported and being implemented.	Requirements to be part of SMS.	RailCorp	Open	Company Claims Closure	June 2005
87. Risk assessments of occupational health and safety issues by RailCorp should include an analysis of broader public safety risks and not be confined to narrow occupational health and safety issues.	Supported and being implemented.	Requirements to be part of SMS. Appropriate Risk Management Framework in place.	RailCorp	Open	Company Claims Closure	June 2005
<b>Passenger safety</b>						
88. The RailCorp passenger containment policy must be abandoned.	Supported. RailCorp will review and replace the current containment policy, in consultation with ITSRR. The Commission recognised the complexity of determining appropriate policy and operational/technical arrangements for emergency egress from trains. Evidence to the Commission was that on some occasions passengers are best kept inside a train; in others they need to be able to escape. An independent risk assessment of the alternatives to the current policy will be undertaken. This risk assessment will be consistent with recommendation 34, and the replacement passenger containment policy will be based on its results.	Risk Assessment conducted. Containment Policy reviewed. New Policy developed and implemented.	RailCorp	Open	Acceptable response	March 2006

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
89. There must be a minimum of two independent methods of self-initiated emergency escape for passengers from all trains at all times.	Requires further detailed review, subject to the risk assessment referred to in R88.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard.	ITSRR	Open	Acceptable response	*November 2005
90. All passenger trains must be fitted with an internal passenger emergency door release.	Requires further detailed review. See R 89.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard.  ITSRR to ensure operators comply with standard.	ITSRR	Open	Acceptable response	*November 2005
91. All passenger trains operating in New South Wales must be fitted with external emergency door releases which do not require any special key or other equipment to operate.	Supported and being implemented. RailCorp has commenced a modification program to ensure all external emergency door releases do not require special keys or other equipment to operate.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard.  ITSRR to ensure operators comply with standard.	ITSRR	Open	Acceptable response	*November 2005
92. The internal passenger emergency door release should be fitted with a facility which prevents it from operating unless the train is stationary.	Requires further detailed review. See R 89.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard.  ITSRR to ensure operators comply with standard.	ITSRR	Open	Acceptable response	*November 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
93. The operation of the train doors should have an override facility whereby the train driver or the guard can override an internal passenger emergency door release system if the door release is interfered with when there is no emergency. There should be an alarm, together with an intercom, in the train guard's compartment so that, if a passenger attempts to initiate an emergency door release, there is an appropriate delay during which time an alarm sounds in the train guard's compartment and the guard can then, after first attempting to speak via the intercom to the person concerned, if necessary, override the door release, and make an appropriate announcement over the intercom system in the train.	Requires further detailed review. See R 89.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard.  ITSRR to ensure operators comply with standard.	ITSRR	Open	Acceptable response	*November 2005
94. The risk of abuse of internal passenger emergency door releases should be further reduced by introducing significant penalties for any improper use of such an emergency facility. It should be a criminal offence for anyone to use or tamper improperly with an emergency escape facility in a train.	Supported.	Appropriate Legislation introduced.	ITSRR	Open	Acceptable response	December 2005
95. All passenger trains operating in New South Wales must have the external emergency door release clearly marked with the words "Emergency Door Release".	Supported and being implemented.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard.  ITSRR to ensure operators comply with standard.	ITSRR	Open	Acceptable response	*November 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
96. All RailCorp operational personnel should be trained in the location and operation of external emergency door release mechanisms.	Supported and being implemented.	RailCorp to provide: a) Evidence of Development of Training Program that addresses issues. (Includes Development Process, Training Aids / Curriculum.) b) Evidence of Appropriate Assessment Competency. (Delivery of course by appropriately qualified trainers.) c) Evidence of process to ensure the training of new staff and the Refresher training of existing staff. d) Review process built-in, to take into account relevance and changes.	RailCorp	Open	Company Claims Closure	June 2005
97. All emergency services personnel should be trained in the location and operation of emergency door release mechanisms on all rail cars.	Supported in principle and being implemented through other means. RailCorp has produced a training DVD showing the location and operation of external emergency door release mechanisms. 500 copies have been provided to each of Fire Services, Police and Ambulance. The very large number of emergency response personnel (including volunteer services) that may respond to a rail incident, means training of all personnel in the RailCorp Framework is unlikely to be achievable. Emergency Services will investigate with RailCorp extension of the DVD into a multimedia resource to improve the ability to educate wider numbers of emergency service workers.	Agreement between RailCorp and Emergency Services in place on most effective means of communication / training for location and operation of emergency door release mechanisms on all passenger cars. Training aids developed/distributed.	Emergency service Agencies	Open	Acceptable response	March 2006
98. All trains should have windows available through which passengers can escape.	Requires further detailed review. See R 89.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard ITSRR to ensure operators comply with standard.	ITSRR	Open	Acceptable response	*November 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
99. All new rail cars must have appropriate signage and lighting identifying escape routes in the case of emergency.	Supported.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard.  ITSRR to ensure operators comply with standard.	ITSRR	Open	Acceptable response	*November 2005
100. All new rolling stock must be designed with an area of the roof through which emergency services personnel can access a rail car without encountering wiring or other equipment. That access point must be clearly marked with words such as "emergency services cut here".	Requires further detailed review. See R 89.	ITSRR has undertaken an initial review and recommended options for a standard. ITSRR to develop principles for an appropriate standard incorporating review findings and refer matter to NTC for development of a national standard.  ITSRR to ensure operators comply with standard.	ITSRR	Open	Acceptable response	*November 2005
101. ITSRR should initiate and/or participate in the development of a national standard for crashworthiness of all passenger trains.	Supported.	ITSRR will refer matter NTC for development of National Regulation. ITSRR will adopt National Regulation.  In the interim ITSRR will ensure compliance with existing industry standards through its accreditation process.	ITSRR	Open	Acceptable response	*November 2005
<b>Corporate governance</b>						

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
102. RailCorp should make it a condition of employment that all level 2 managers have or obtain a formal qualification in system safety management.	Supported in principle for further review. RailCorp has developed and implemented a program of safety science training for senior managers (levels 2, 3 and 4). A comprehensive review of available formal qualifications in system safety management, including international practice, with an option of having RailCorp's training formally recognised.	Program Implemented to ensure all level 2 Managers obtain formal qualifications in System Safety Management. Position Description to reflect criteria.	RailCorp	Open	Acceptable response	October 2005
103. RailCorp should establish clear safety accountability statements and reporting lines for all management positions.	Supported.	Accountability Statements implemented for all management positions.	RailCorp	Open	Acceptable response	October 2005
104. The RailCorp Board should establish independent external safety auditing processes to regularly audit and report to the Board on the implementation of an integrated safety management system by RailCorp and on safety performance generally.	Supported and being implemented.	Program established that provides for Independent External Safety Audit. Independent External Safety Audits conducted.	RailCorp	Open	Acceptable response	July 2005
105. The RailCorp Board should ensure that RailCorp has an adequate and integrated safety management system, including adequate systems for risk assessment, clearly defined safety responsibilities and accountabilities for persons holding management positions, and specific performance criteria against which evaluations can be made of safety performance and accountability for safety performance of all managers.	Supported and being implemented.	Implementation of RailCorp Safety Management System. Clearly defined accountabilities to be in the SMS documents	RailCorp	Open	Acceptable response	December 2005
106. The RailCorp Board should require a full review of the safety competence of RailCorp managers to ensure that each has the ability to bring about those safety reforms recommended in this report which are applicable to his or her position.	Supported.	Review undertaken by RailCorp. Recertification plans developed.	RailCorp	Open	Acceptable response	October 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
107. RailCorp should ensure that where the safety competency of any manager is deficient such manager is required to undertake professional development courses to raise his or her safety competency level to an adequate standard.	Supported.	Review undertaken by RailCorp. Recertification plans developed.	RailCorp	Open	Acceptable response	September 2006
108. RailCorp should conduct internal and external safety audits to evaluate the adequacy of its safety management system and to ensure that any risk control measures are effective.	Supported and being implemented. RailCorp's annual safety audit plan includes audits to evaluate the adequacy of its safety management system and risk control measures. The 2005 audit plan includes 4 external audits.	Internal/External Audit plan developed. Evidence of Audits conducted/Audit Reports. Develop rectification plans. (link to 104)	RailCorp	Open	Acceptable response	July 2005
109. Following completion of any external audit, a corrective action plan to remedy any identified safety deficiencies should be developed by RailCorp, implemented and followed up within the business groups affected, to ensure appropriate and timely completion of the action plan, by a formal examination of the effectiveness of the controls put in place. Senior management personnel should certify that the corrective action plan has been implemented and is effective. Senior management personnel should be accountable for any such certification.	Supported.	Develop rectification plans. Formal closeout procedures/processes in place and monitoring program in place	RailCorp	Open	Acceptable response	March 2006



RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
<b>Safety reform</b>						
110. A Safety Reform Program Director (hereafter referred to as SRPD), reporting directly to the Chief Executive of RailCorp, should be retained to manage, as head of a Safety Reform Program Office, any safety reform program being undertaken by RailCorp. The SRPD should work with the Chief Executive and senior management to ensure the implementation of an integrated safety management system and the cultural change required. The SRPD must have qualifications suitable for recognition by the Australian Institute of Project Management as a master program director. He or she should report to and be under the control of the Chief Executive, to ensure that the accountability of the Chief Executive is not reduced. The SRPD should co-ordinate and integrate any existing rail safety reform programs and, in consultation with and with the authority of the Chief Executive he or she should:	Supported.	Position established/filled. Position Description reflects responsibilities in recommendations 110 (a) - (e)	RailCorp	Open	Acceptable response	July 2005
(a) assign responsibility for particular aspects of the project to identifiable employees;	Supported.	Position established/filled. Position Description reflects responsibilities in recommendations 110 (a) - (e)		Open	Acceptable response	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(b) ensure that each person to whom such an aspect of the program has been assigned has the time and resources to undertake the tasks each is required to perform;	Supported.	Position established/filled. Position Description reflects responsibilities in recommendations 110 (a) - (e)		Open	Acceptable response	July 2005
(c) identify the period of time during which such persons are required to achieve the desired safety outcome for the particular aspect of the program;	Supported.	Position established/filled. Position Description reflects responsibilities in recommendations 110 (a) - (e)		Open	Acceptable response	July 2005
(d) specify a clearly defined scope of work to be undertaken, a schedule setting out when such work is to be completed, and institute a system of measuring whether or not the objectives have been achieved in the time specified; and	Supported.	Position established/filled. Position Description reflects responsibilities in recommendations 110 (a) - (e)		Open	Acceptable response	July 2005
(e) report to the Chief Executive of RailCorp on a monthly basis on each aspect of the program, and the Chief Executive is to report on a monthly basis to the RailCorp Board and to ITSRR, on the progress of each program.	Supported	Position established/filled. Position Description reflects responsibilities in recommendations 110 (a) - (e)		Open	Acceptable response	July 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
<b>Safety regulation</b>						July 2005
111. The Advisory Board established under the Transport Legislation Amendment (Safety and Reliability) Act 2003 must be abolished.	Not supported. The statutory obligation of the ITSRR Advisory Board to review and provide advice to OTSI in regard to accident investigations and any functions of the Chairman in respect of accident investigation will be removed but the ITSRR Advisory Board will be retained as a source of expert advice to ITSRR.	Rejected. Closed.	Not assigned	Closed	Recommendation Rejected	
112. Legislative changes should be enacted to ensure the complete independence of ITSRR from the Minister for Transport Services.	Not supported. The principal objective of ITSRR is to facilitate the safe operation of transport services in the state and to promote safety and reliability as fundamental objectives in the delivery of transport services. As such it makes a critical contribution to the transport portfolio. ITSRR will be retained as an agency within the Transport portfolio, but its accountability and the responsibility of the CEO, and ITSRR's independence will be enhanced by providing explicit reporting requirements of ITSRR in the legislation and removing from legislation the requirement for the Advisory Board to review ITSRR reports.	Rejected. Closed.	Not assigned	Closed	Recommendation Rejected	
113. The Chief Executive of ITSRR should have sole accountability and responsibility for the regulation of rail safety in New South Wales.	Supported in principle. The Chief Executive of ITSRR administers the Government's rail safety legislation and provides advice on rail safety to the Government.	Implemented. Chief executive has sole accountability for administering Rail Safety Act	ITSRR	Closed	Action verified	
114 The ITSRR should publish guidelines to be followed by accredited organisations.	Supported.	Have guidelines in place, ITSRR has a process to identify, develop and issue guidelines as required from time to time under the Rail Safety Act.	ITSRR	Open	Acceptable response	September 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
115. The ITSRR should not grant accreditation to any rail organisation unless it has an integrated safety management system in accordance with any safety management system regulation and the guidelines published from time to time by ITSRR.	Supported.	National Accreditation Package is the new standard for accreditation which includes requirement for an integrated SMS. - National Accreditation Package will be supported by a regulation.	ITSRR	Open	Acceptable response	July 2005
116. The ITSRR should conduct field audits to satisfy itself that all accredited rail organisations conduct their activities in accordance with the safety management system on the basis of which each was accredited.	Supported	Implemented. - Audit Program in place - Compliance Program in place - ITSRR Audit and Compliance programs are developed around and focused on the Safety Management Systems as submitted by accredited organisations.	ITSRR	Open	Company Claims Closure	June 2005
117. Staffing arrangements for ITSRR should be reviewed by to ensure that adequate staff are employed in field positions, actively monitoring the safety of rail operations and compliance with conditions of accreditation.	Supported.	Implemented ITSRR reviews its field resources and staff allocation on a regular basis to ensure adequate staff are employed in field positions.	ITSRR	Open	Company Claims Closure	June 2005
118. All accredited rail organisations should be required to re-apply every three years to ITSRR for accreditation.	Not supported. Under the Rail Safety Act 2002, ITSRR has the right to require an operator to re-submit its Safety Management System (SMS), the central requirement of operator accreditation, at any time. This provides ongoing opportunity to review and check an operator's SMS as required rather than at a pre-determined frequency. Additionally, the National Rail Safety Accreditation Package (NRSAP) requires frequent audits of rail operators and evidence of continuous improvement in the operator's SMS.	Rejected. Closed.	Not assigned	Closed	Recommendation Rejected	
119. The ITSRR, when considering a reapplication for accreditation, should conduct a field audit of the organisation to ensure that it is carrying on its activities in accordance with the basis upon which it seeks accreditation.	Supported	Implemented. ITSRR conducts regular field audits as part of it accreditation application process.	ITSRR	Open	Company Claims Closure	June 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
120. The ITSRR should continue to participate in the development of a national system for rail safety regulation, provided that any ultimate agreement between the States and Territories and the Australian Government does not produce a safety outcome for New South Wales that is less than would be achieved by the implementation of all the recommendations contained in this report.	Supported in principle for further review. ITSRR will continue to participate in the development of a national system for rail safety regulation.	ITSRR Actively Participates in National Reform/ NTC processes. ITSRR has as a principle that NSW will not accept national reform proposals which produce less safe outcomes.	ITSRR	Closed	Action verified	
<b>Integrated safety management</b>						
121. A safety management system regulation should be promulgated, specifying the requirements of safety management systems in all accredited organisations, using Annexure I to this report as a guide.	Supported in principle for implementation through other means. ITSRR will introduce regulations that set out the expectations (or performance outcomes) required of industry. The regulations will be developed on a national basis, through the National Transport Commission process, to ensure consistent application across the Australian rail industry.	ITSRR will refer matter National Transport Commission for development of National Regulation. ITSRR will adopt National Regulation. In the interim, ITSRR has developed NAP which sets out requirements and has made NAP a condition of accreditation.	ITSRR	Open	Acceptable response	*November 2005
122. RailCorp should establish an integrated safety management system which includes the following:	Supported. The RailCorp Board has approved the safety strategic plan and the engagement of external experts to assist in the development of an integrated safety management system for RailCorp. The safety management system has been developed and will be implemented in 2005, consistent with the requirements of RailCorp's provisional accreditation. (a) RailCorp will review its integrated safety management system against this recommendation to ensure consistency.	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)	RailCorp	Open	Acceptable response	December 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(a) a formal performance management system, incorporating measurable safety accountabilities and responsibilities for each managerial position;	Supported. The RailCorp Board has approved the safety strategic plan and the engagement of external experts to assist in the development of an integrated safety management system for RailCorp. The safety management system has been developed and will be implemented in 2005, consistent with the requirements of RailCorp's provisional accreditation. (a) RailCorp will review its integrated safety management system against this recommendation to ensure consistency.	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(b) defined safety accountability and responsibility statements for senior management;	RailCorp will review its integrated safety management system against this recommendation to ensure consistency.	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(c) an effective means of reviewing and acting upon audit investigation and review findings;	RailCorp will review its integrated safety management system against this recommendation to ensure consistency.	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(d) an effective system for managing audit and investigation findings, to ensure that any identified deficiencies have been rectified.	RailCorp will review its integrated safety management system against this recommendation to ensure consistency.	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(e) criteria for recruitment and promotion of management staff, including safety management qualifications, experience and expertise;	RailCorp will review its integrated safety management system against this recommendation to ensure consistency.	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(f) development of risk management procedures, including:	RailCorp will review its integrated safety management system against this recommendation to ensure consistency.	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(i) analysis of the nature of the activities being undertaken;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(ii) identification of all potential hazards within those activities;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(iii) analysis of the nature of the hazard;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(iv) analysis of the risks of the hazard materialising;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(v) development of controls to mitigate the risk;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(vi) development of systems for monitoring the effectiveness of the controls to ensure that they are working;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(vii) development of a continuing program to enhance the development of safe practices at all levels of the organisation;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(viii) development of key performance indicators for safety performance by all persons in management positions;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(ix) development of a safety information data collection system which captures all hazards, occupational health and safety incidents, audit results, non-compliance findings and near miss reports;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(x) development of a system to arrange in priority order, on the basis of data and trend analysis, those safety deficiencies which require the most urgent attention;		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
(xi) design and implementation of communications protocols, including standard phraseology, with particular standard phraseology for emergency situations; and		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005



RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(xii) development of training systems, based upon training needs analysis.		RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f)		Open	Acceptable response	December 2005
123. RailCorp should establish a safety management system containing the 29 elements identified in the SMSEP report which is in volume 2 of this report.	Supported in principle and being implemented through other means. RailCorp's draft integrated safety management system incorporates the substance of all 29 elements identified in the SMSEP.	RailCorp to review its SMS to ensure that it incorporates 29 elements identified in SMSEP report.	RailCorp	Open	Company claims closure	June 2005
124. The ITSRR should ensure that RailCorp establishes a safety management system containing the 29 elements identified in the SMSEP report, and ensure the ongoing monitoring and improvement of the safety management system established.	Supported in principle and being implemented through other means. See R 123.	ITSRR to review RailCorp's SMS in line with the accreditation requirements outlined in recommendation 123.	ITSRR	Open	Acceptable Response	December 2005
<b>Implementation of recommendations</b>						
125. The ITSRR must provide a quarterly report to the Minister for Transport Services on the progress made by RailCorp in implementing these recommendations, including:	Supported.	Quarterly Reports provided outlining progress towards implementation of the recommendation.	ITSRR	Closed	Action verified	
(a) a statement as to whether or not the recommendation has been implemented and, if so, is working effectively; and	Supported.	Quarterly Reports provided outlining issues raised in the recommendation.	ITSRR	Closed	Action verified	

RECOMMENDATION	GOVERNMENT RESPONSE	ITSRR EXPECTATION	Agency	Status	ITSRR Assessment	Target Date
(b) if the recommendation has not been implemented, the means by which the safety objective of the recommendation is otherwise to be achieved.	Supported.	Quarterly Reports provided outlining issues raised in the recommendation.	ITSRR	Closed	Action verified	
126. The Minister for Transport Services must table in Parliament, each such quarterly report by ITSRR.	Supported.	Reports tabled in Parliament.	ITSRR	Closed	Action verified	
127. The Minister for Transport Services should retain, independently of ITSRR, safety auditors to provide a report to the Minister confirming or qualifying the contents of each such ITSRR quarterly report.	Not Supported. The Government is confident that ITSRR has the capacity and competence to effectively monitor and review implementation of the recommendations arising from the Commission's Final Report. An additional independent auditor would duplicate the work of ITSRR and may cause confusion about which agency is the primary regulatory authority.	Rejected. Closed.	Not assigned	Closed	Recommendation Rejected	