



INDEPENDENT
TRANSPORT
SAFETY AND
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REGULATOR

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: October - December 2005



ITSRR Quarterly Report Four

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31 January 2006

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

Dear Minister

I am pleased to provide the fourth Quarterly Report 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.

As with previous Reports, this Report is provided one month after the completion of the quarter and reflects implementation progress from 1 October 2005 to 31 December 2005. The next report will reflect the progress made in the quarter 1 January 2006 to 31 March 2006.

Yours sincerely

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

Carolyn Walsh
Chief Executive

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ABBREVIATIONS

ALARP	As Low As Reasonably Practicable
ARA	Australasian Railway Association
ATP	Automatic Train Protection
ARTC	Australian Rail Track Corporation
CMC	Code Management Company
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
RLAP	Rail Legislation Advisory Panel
RSRP	Rail Safety Regulators Panel
RSW	Rail Safety Workers
SCOI	Special Commission of Inquiry
SMS	Safety Management Systems
SMSEP	Safety Management Systems Expert Panel
TACE	Transport Agencies Chief Executives

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 implementation progress. This is the fourth Quarterly Report. It outlines progress made between 1 October 2005 and 31 December 2005.

Implementation Summary

Substantial implementation progress was made during the quarter with significant numbers of recommendations nominated for closure by agencies or verified and closed by ITSRR:

- Agencies nominated 38 (21%) recommendations for closure;
- ITSRR validated and closed out a further 27 (15%) recommendations (14 RailCorp, 5 OTSI, 1 RailCorp and Emergency Services and 7 ITSRR); and
- Target dates for implementation of accepted recommendations remain on schedule, except for 5 (3%) recommendations.

The five recommendations (detailed on page 13) that slipped do not pose safety risks to the NSW travelling public or present any immediate concerns for ITSRR. The slippages in timeframes are minor and the recommendations largely concern governance and legal matters which are scheduled for completion for the most part by the end of March 2006.

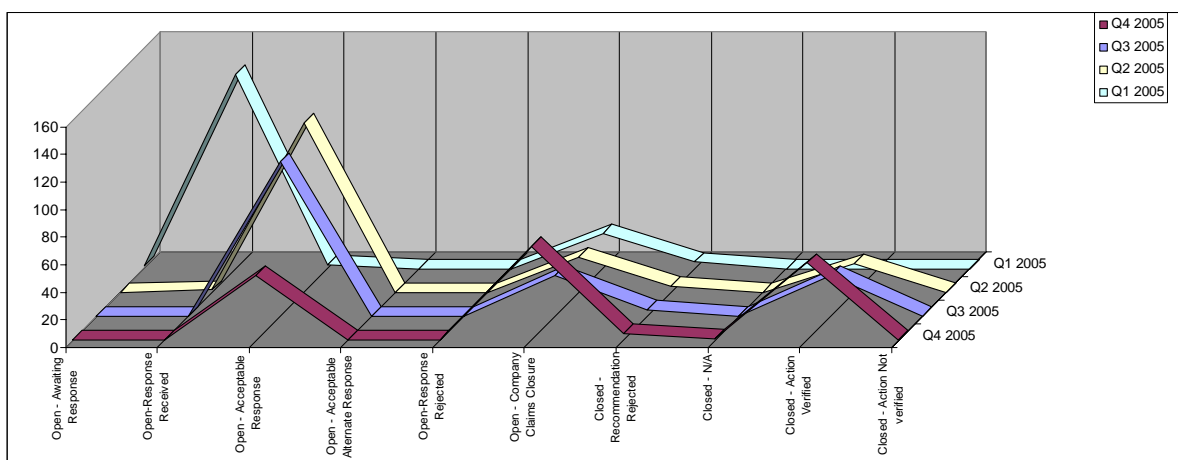
At the end of the reporting period, the cumulative implementation progress to date for all 177 recommendations (including 127 recommendations and 50 sub-elements) was as follows:

- 62 (35%) recommendations verified and closed¹;
- A further 68 recommendations (38%) are currently claimed for closure by agencies and are being verified by ITSRR;
- A further 26 (15%) recommendations are due for completion by the end of 2006;
- 1 (0.5%) recommendation (the introduction of national communications technical standards) will be implemented by 2010 (unchanged from last quarter);
- 20 (11.5%) recommendations referred to the National Transport Commission (NTC) have revised implementation timeframes based on advice from the NTC.

This brings the total number of recommendations currently closed or claimed by agencies to be closed (but yet to be verified by ITSRR) to 130 or 73% of all recommendations. A further 26 recommendations are due to be implemented during 2006, bringing the total number due for completion by the end of 2006 to 156 or 88%. The remaining 21 relate to standards redevelopment and design issues.

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

GRAPH 1: PROGRESSIVE STATUS ALL RECOMMENDATIONS BY QUARTER



¹ including 5 that were rejected by the NSW Government and 1 which is no longer applicable

As time progresses, it is expected that the peak will shift along the x-axis until all recommendations are closed.

Quarterly Progress

The major areas of activity during the quarter include:

- Incident response and emergency management with the introduction of new procedures and plans, including regular training programs;
- The implementation of new safety management systems and risk management processes;
- Improved reporting procedures for train defects; and
- Training programs across a range of areas.

Recommendations Verified and Closed

In the reporting period, ITSRR verified and closed 27 recommendations. Fourteen of these were the responsibility of RailCorp. They included:

- Designation of a staff member in the Rail Management Centre as rail emergency management co-ordinator (Recommendation 3);
- Development and implementation of a comprehensive Incident Management Framework outlining command and control procedures for rail emergencies (Recommendations 11, 12, 13, 14, 16, 17, and 22);
- Training of all rail employees to commence any emergency communication with the words, “Emergency, Emergency, Emergency” (Recommendation 26);
- Selection of Rail Management Centre communications staff on the basis of ability to convey information clearly, accurately and concisely and to follow strict communications protocols (Recommendation 40);

- Integration of reporting, recording and rectification of defects into RailCorp's maintenance regime for both the electric and diesel fleets (Recommendation 47);
- Incorporation of a standard for determining when a train is permitted to enter and remain in service into RailCorp's Train Operations Manual (Recommendation 49);
- Integration of the analysis of public safety risks into RailCorp's risk management framework, (Recommendation 87); and
- Establishing that RailCorp's Safety Management System (SMS) is compatible with the 29 elements for an SMS recommended by the SCOI (Recommendation 123).

Seven recommendations were the responsibility of ITSRR. They included:

- ITSRR has established as part of its auditing and compliance role processes to ensure that RailCorp and other accredited operators have internal processes in place to audit and monitor compliance with communications protocols (Recommendation 41,42, and 44);
- Integration of specified criteria into ITSRR's accredited rail organisations audit program for compliance with communication protocols (Recommendation 45);
- Implementation of ITSRR's electronic document management system (Recommendation 76);
- Introduction of a Memorandum of Understanding (MOU) between OTSI and ITSRR (Recommendation 80); and

- Establishment of a process to ensure the on-going monitoring and improvement of Railcorp's revised SMS (Recommendations 124).

Five recommendations were the responsibility of OTSI. They included:

- Ensuring there is no legislative impediment to the Australian Transport Safety Bureau (ATSB) conducting investigations on the Defined Interstate Rail Network (DIRN) in NSW at the request of the NSW Government, supported by a Memorandum of Understanding (MoU) with the ATSB (Recommendations 72-74);
- Ensuring that legislative provisions in the *Rail Safety Act 2002* facilitate the delivery of OTSI reports to ITSRR and the Minister (Recommendation 81); and
- Recommendation 82 became classified as "Closed No Longer Applicable" as a result of legislative changes which established OTSI as an independent government agency. As such, it is inappropriate for OTSI's reports to be statutorily subject to review by a Federal agency. (Recommendation 82).

One recommendation was the joint responsibility of RailCorp and Emergency Services:

- Establishing a schedule of field training exercises for RailCorp and Emergency Services to ensure that the incident command system and rail emergency response plan are able to be fully implemented as quickly as possible and are reviewed and improved as appropriate (Recommendation 24).

Recommendations Claimed for Closure (and being verified)

At the end of the reporting period, 68 recommendations including sub-elements were claimed for closure (67 by RailCorp and 1 by ITSRR). These include:

- Procedures to ensure immediate isolation of electrical power supply to the area of an accident (Recommendations 6 and 25);
- Existence of a suitable inspection, fault rectification and maintenance plan for signal telephones which includes: processes for reporting faults; responding to faults; and conducting preventative maintenance. (Recommendation 8);
- Development and implementation of an emergency response plan for management of all rail accidents with appropriate training as well as development of action emergency checklists (Recommendations 10, 18, and 19);
- Implementation of a Safety Risk Management Framework (Recommendation 34 a-h);
- Implementation of effective procedures to ensure recording in a data base of all train drivers' defects reports and tracking of these to finalisation (Recommendation 48);
- Development of suitable processes to ensure train integrity prior to a train entering into service (Recommendation 53);
- Establishment of a safety document management system and distribution of material to RailCorp staff (Recommendations 58 and 59);
- Completion of a review of recommendations 1-7 from the Glenbrook SCOI Report. (Recommendation 65);

- Introduction of interactive simulator training for RailCorp's guards and drivers in circumstances such as passing signals at stop or trespassers in the rail corridor (Recommendations 66 and 67);
- Introduction of a training program for train drivers and guards which encourages teamwork and discourages authority gradients (Recommendation 68);
- Preparation by RailCorp of a safety culture plan which incorporates SCOI recommendations and subsequent review by ITSRR (Recommendations 83 (a) - (n) and 84);
- Establishment of an integrated SMS which also incorporates management of RailCorp's occupational health and safety risks (Recommendations 85 and 86);
- Introduction of a training program for all of RailCorp's operational personnel in the location and operation of the external emergency door release mechanism (Recommendation 96);
- A program whereby Level 2 Managers in RailCorp obtain formal qualifications in System Safety Management which are also reflected in amended position descriptions. (Recommendation 102);
- Implementation of an external auditing program that reports to RailCorp's Management Board on the effectiveness of its integrated safety management system and on safety performance generally (Recommendation 104);
- Implementation of RailCorp's 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 manager (Recommendation 105);

- Conduct of 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. (Recommendation 106);
- Introduction of an internal and external audit program to evaluate the adequacy of RailCorp's safety management system and to ensure that any risk control measures are effective (Recommendation 108);
- Appointment of a Safety Reform Program Director to manage safety reform being undertaken by RailCorp (Recommendation 110 a – e); and
- Incorporation of SCOI recommendations into RailCorp's Safety Management System (SMS) (Recommendation 122 a - f).

Slippage

During the reporting period, five recommendations were not implemented by their scheduled target date. In ITSRR's view these slippages do not pose any increased safety risks to the NSW travelling public. The slippages in timeframes are minor and the recommendations, which are scheduled for completion for the most part by the end of March 2006, have been substantially progressed. The recommendations that slipped are in the following areas:

ITSRR recommendations

- A second engineering defence installed on all NSW trains: - RailCorp has already installed a second engineering defence (vigilance) in all of its passenger trains. ITSRR planned to complete a review by December 2005 into whether further defences might be required in other rollingstock on the NSW network. ITSRR has commissioned reports on engineering defences protecting against driver incapacitation from a qualitative, quantitative and

international perspective. These have been completed and ITSRR expects to complete its review of the reports by the end of January 2006 (a slippage of one month). (Recommendation 31);

- Development of a guideline by ITSRR outlining which accidents and/or incidents require mandatory drug and alcohol testing:- ITSRR released proposals for industry comment on 23 December 2005 with comments expected by 17 February 2006. Existing Drug and Alcohol (D&A) Guidelines enable operators to conduct post-incident D&A testing but do not explicitly require it. It is anticipated that the guideline will be completed by 30 April 2006 (a slippage of four months) (Recommendation 55); and
- Introduction of a criminal offence and significant penalties for tampering or improper use of emergency door releases: - ITSRR received legal advice that existing provisions within the General Rail Safety Regulation imposing a criminal offence and 50 penalty units (1 penalty unit = \$110) address the recommendation. ITSRR is obtaining further advice as to whether this penalty is sufficient. This determination will be made by 30 March 2006 (a slippage of three months). However, if legislative changes are required to increase the penalty then additional time will be allocated to complete this recommendation (Recommendation 94).

RailCorp recommendations

- Completion of a training program for CountryLink passenger service staff in the use of MetroNet radio in an emergency. RailCorp has advised ITSRR that it will now complete training of all of its CountryLink staff by the end of January 2006 (a slippage of three months) (Recommendation 5); and
- Establishment of safety accountability statements for all management positions. RailCorp has advised ITSRR that the approach it had taken to the introduction of safety accountabilities was not sustainable, that a revised approach is to be adopted and, as a result, the introduction of safety accountability statements will now be completed by the end of March 2006 (a slippage of three months) (Recommendation 103).

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 2.

Implementation Plan

ITSRR has reviewed the SCOI Final Report and determined the actions required to implement each recommendation (in line with the Government's response) and which company or agency has responsibility for that action. These expectations 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 has reviewed the appropriateness of them to ensure the timeframes are feasible and that processes are in place to adequately monitor progress as well as to give sufficient notice and justification to ITSRR for any changes to the implementation plan. 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.

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. Appendix 1 includes tables and graphs of the current implementation status of recommendations.

Slippage

In reporting slippage against the agreed timeframes in the Implementation Plan, ITSRR uses the following guide:

- If a claim for closure was expected by the conclusion of the reporting quarter but was not received then it is recorded as slippage;
- If a claim for closure is submitted to ITSRR by the end of the reporting quarter but the target date was earlier in the quarter, it will not be recorded as slippage; and
- If a revised target date for implementation was received from an agency but action will be completed within the original reporting quarter then it is not recorded as slippage. However in the event that the revised target date is not met, ITSRR will record the event as a slippage.

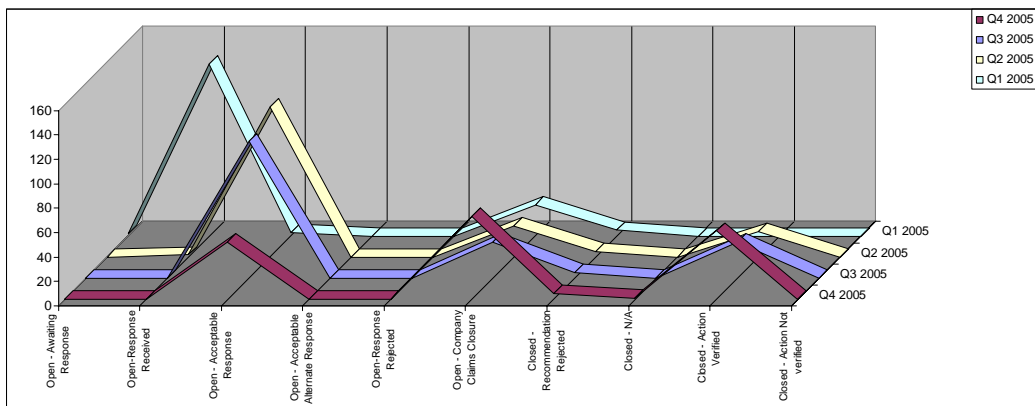
SUMMARY OF PROGRESS

The SCOI was given the task of 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 and 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 at 31 December 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 OF ALL RECOMMENDATIONS BY QUARTER



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 (in the event of a future rail accident) RailCorp has effective procedures in place that will enable it to locate the accident site, secure and isolate it, ensure safety at the site 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. These recommendations require the provision of supporting emergency procedures and appropriate training in those procedures.

In the reporting period the following recommendations were closed and verified by ITSRR:

- RailCorp's Incident Management Framework (IMF) identifies a RailCorp Shift Manager at the Rail Management Centre (RMC) as the emergency management coordinator for off-site response to incidents and call out of response personnel to attend a rail incident site. (Recommendation 3);

- Emergency response personnel from both RailCorp and Emergency Services Agencies use a uniform incident command system, with procedures for: establishment of inner and outer perimeters; controlled access to the site; orderly evacuation of injured passengers; and, establishment of a staging area remote from the accident site. (Recommendation 11);

- RailCorp's IMF identifies two key positions for emergency response: Rail Management Centre (RMC) Shift Manager (to coordinate the off site response) and the Rail Commander (to coordinate rail industry response at

the incident site). The IMF also outlines the roles and responsibilities of these positions. (Recommendation 12);

- RailCorp's IMF identifies the primary coordination role of the Site Controller and the role and reporting relationship of the Rail Commander in the provision of support and coordination for rail organizations upon arrival at the incident site. (Recommendation 13);
- RailCorp's IMF identifies the roles of emergency services and rail agencies. It should be noted that the incident command system utilised during emergency response is controlled by the NSW emergency management arrangements (DISPLAN). (Recommendation 14);
- RailCorp's IMF details the role of the Rail Commander including the requirement to support the Site Controller and to coordinate the rail response on site. (Recommendation 16);
- RailCorp's IMF details the role of the Rail Commander including the requirement to manage all response personnel from rail organisations. (Recommendation 17); and
- RailCorp's IMF includes "debriefing" for emergency response personnel and senior rail personnel for the purpose of continuous improvement. (Recommendation 22).

To verify the above Recommendations, ITSRR:

- Sighted the supporting RailCorp Group Incident Response Plans and confirmed operation of it during a field visit;

- Observed RailCorp staff carrying out these duties during emergency exercises which demonstrated knowledge and understanding of their roles and responsibilities;
- Monitored a number of multi-agency emergency exercises involving RailCorp personnel in the response, support and recovery phase of an emergency with particular focus on the relationship between the site controller and the role of the rail commander;
- Actively participated in a number of Emergency Exercises and subsequent debrief sessions; and
- Noted RailCorp's amendments to its IMF including an incident response checklist for the Rail Commander further defining the support role and authority of the Rail Commander.

In order to streamline the verification process ITSRR has agreed to verify:

- Existence of a checklist for the RMC Shift Manager (Recommendation 12) as part of its closure activities for Recommendation 19; and
- Training components of Recommendations 3, 11, 12 and 14 of as part of its closure activities for Recommendation 20.

ITSRR will continue to monitor the interface of Emergency Services Agencies and RailCorp during future emergency exercises.

Also in the reporting period, the following recommendations were closed and verified by ITSRR:

- That regular field training exercises be conducted. ITSRR notes that the State Emergency Management Committee (SEMC) has accepted RailCorp's schedule of training exercises and will endeavour to provide appropriate support to these exercises. ITSRR will continue monitoring the

progress of emergency exercises and ensure that they are being carried out according to the plan. (Recommendation 24); and

- The training of all RailCorp staff 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. ITSRR verified this recommendation by both desktop analysis and field observation. ITSRR verified that RailCorp trained its safeworking qualified employees in the requirements of Network Procedure 721 and Rule 204. To address the training needs of employees not qualified in safeworking, RailCorp is using an Emergency Communications Briefing. All relevant documentation relating to this training has been audited by ITSRR. To evaluate the effectiveness of this training, ITSRR conducted field work to verify RailCorp rail employees have the knowledge and competence to deliver emergency communications. 30 Drivers, 8 Guards and 4 Station Staff were interviewed, all of whom demonstrated an awareness of how to stop trains in an emergency and could readily explain how they would do so according to the requisite Network Rules and Procedures. (Recommendation 26).

During the quarter RailCorp did not complete training of its CountryLink passenger service staff in the use of Metronet Radio in an emergency as per the scheduled timeframe. However, RailCorp advised that as of the end of the quarter, 59 of the 61 (97%) passenger service staff had been trained and the remaining staff would receive training by the of end January 2006 (a slippage of three months) (Recommendation 5).

In the next quarter ITSRR will verify RailCorp's claim closure for Recommendations 6, 8, 10, 18, 19, and 25 which concern RailCorp's emergency plans, procedures, training, equipment and communication.

Design and Procurement of Rollingstock

SCOI Final Report Recommendations 29 & 30

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

In the reporting period, the following progress was made:

- ITSRR continued its implementation of the National Accreditation Package (NAP) for rail operators with version 2 of NAP released on the 22 December 2005. This package includes procedures for the design, manufacture, testing and commissioning of rollingstock as a key element of an operator's safety management system. (Recommendation 29);
- The National Transport Commission (NTC) provided its report back on the development of national standards for rollingstock to the Australian Transport Council (ATC) in November 2005. The NTC advised that it will develop regulations specifying generic requirements for rollingstock that rail operators will need to address as part of the development of their safety management system. In addition, the NTC confirmed that the Australasian Railway Association (ARA) through its Code Management Company (CMC) is redeveloping Volume 5 of the Code of Practice for rail operators to provide nationally consistent and accepted rollingstock standards for the Australian rail industry. This approach, development of regulations by Governments with operational and technical standards developed by the rail industry, is consistent with the co-regulatory model for the management of rail safety in the Australian rail industry.

Until the revised rollingstock standards are in place, all NSW accredited operators are required to comply with the "minimum operating standards for

rollingstock" (MOSRS) - a set of detailed technical safety standards – as part of the SMS. Compliance with the MOSRS is also a standard condition of rail access agreements between rollingstock operators and the three NSW infrastructure owners (RailCorp, CountryRic and the ARTC). Through its existing compliance program ITSRR continues to review rollingstock procedures and protocols of accredited rail operators.

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. In the longer term SCOI recommended the introduction of Automatic Train Protection (ATP). The Government supports this in principle, however, its application on an industry-wide basis needs to be reviewed. 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.

Engineering Defences

ITSRR currently requires through the existing accreditation process all driver-only trains (i.e. one person in the driver's cab) to be fitted with two independent engineering defences. As noted in previous reports, RailCorp has installed a second engineering defence in its passenger fleet and has therefore implemented this recommendation. ITSRR has developed and led a review to determine the need for a second engineering defence in other trains operating on the NSW network producing three reports:

- "Qualitative Assessment of Current Defences of Driver Incapacitation",
- "Quantitative Risk Analysis of Driver Incapacitation"; and
- "International Literature Review of Driver Safety Systems".

ITSRR is in the process of conducting a peer review of the commissioned reports which will facilitate the formation of ITSRR's position with respect to the need for a second engineering defence in other trains. The peer review is scheduled for completion by the end of January 2006.

Automatic Train Protection (ATP)

As discussed above, ITSRR has referred the development of national standards for the design and procurement of rolling stock to the National Transport Commission (NTC). This is because introduction of ATP on the NSW rail network will require nationally consistent rollingstock design standards. To progress the implementation of a national standard, ITSRR has accepted the ARA's invitation to participate in the development of standards with respect to ATP on new rolling stock.

Risk Assessment and Risk Control Procedures

SCOI Final Report Recommendations 34

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.

The following progress was made in the reporting period:

- RailCorp engaged a consultant to undertake a comprehensive review of ATP options suitable for the RailCorp signalling environment. The review team includes an international ATP specialist. RailCorp is on

schedule to deliver a comprehensive review of ATP options to Government in September 2006.

- ITSRR reviewed RailCorp's "Safety Risk Management Framework" and "Hazard Identification and Safety Risk Assessment Guidance" documents during its annual audit of RailCorp. The results of the audit supported RailCorp's claim for closure with respect to sub-elements a) b), c), e) and g) of this recommendation. During the next quarter, ITSRR will continue verification of the remaining sub-elements d), (f) and h).

Data Loggers

SCOI Final Report Recommendations 36 and 37

Effective use of data loggers can provide investigators with information to help them in the conduct of any accident or incident investigation to understand the causes of accidents or incidents on the rail network. Data loggers can also assist rail operators monitor driver performance and train operations. Data loggers record information on a train's operations; including, for example, speed during a journey.

In the reporting period:

- The National Transport Commission (NTC) provided a report back to the Australian Transport Council (ATC) of Ministers in November 2005 regarding the development of a new national regulation on data loggers. The NTC proposes, subject to an impact assessment, that national regulations be developed to specify the type of data that must be collected and made available for use. The NTC intends to undertake impact assessments of such a regulation in the second quarter of 2006. This should allow the NTC to confirm the need for a regulation and to proceed with its development in the fourth quarter of 2006. The NTC does not propose to specify a particular type of technology as part of this regulation.

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, signallers, train controllers and other relevant personnel (with different types of equipment) are able to talk to each other.

During the reporting period, the following progress was made:

- The NTC reported back to the ATC on the standardisation of communications procedures and protocols. The NTC supported these recommendations in-principle, but advised that an impact assessment should be undertaken before any decision is made about mandating the use of prescribed terminology and communication procedures. The NTC proposes to undertake the impact assessment by the end of June 2006. This will allow the development of model regulations in the fourth quarter of 2006. In the interim, there are existing standardised network rules and procedures in NSW which address communications protocols and procedures. Compliance with these rules is monitored by ITSRR through its audit and inspection program (Recommendations 39 and 43); and
- During the reporting quarter, ITSRR developed a draft regulation to mandate requirements for the inter-operability of train radio communications between all trains operating on the NSW Network in an emergency situation. As part of a suite of proposed amendments to the *Rail Safety (General) Regulation 2003*, ITSRR released an Information Alert on its website on 1 December 2005 seeking industry comment with submissions due by 1 February 2006 (Recommendation 46).

In the reporting quarter the following recommendations were closed and verified:

- RailCorp's Position Descriptions for safety critical staff working in the Rail Management Centre (RMC) have been revised to include essential criterion for communications skills. This action is aimed at ensuring all communications staff in the RMC are selected on the basis of their ability to convey information clearly, concisely and to follow strict communications protocols (Recommendation 40); and
- ITSRR ensures that all accredited NSW rail operators have internal processes in place to audit and monitor their own compliance with communications protocols. ITSRR uses the Rail Safety Regulators Panel (RSRP) Audit Protocol and undertakes the following procedures as part of its compliance and inspection program:
 - Ensures all accredited rail operators have an adequate system in place for communications;
 - Checks each accredited rail operator follows its own system for dealing with non-compliant staff and checks that the accredited rail operator's employees use the system for all safety critical communications – this is accomplished by conducting a series of field inspections at relevant locations;
 - When non-conformances are found, ITSRR takes appropriate action with the accredited operator.

ITSRR followed this process as part of its audit of RailCorp and as a result recommendation 41 is now closed.

- ITSRR has verified that the sanction for non-compliance with communication protocols adopted by the NSW rail industry is commensurate with those in the aviation industry (Recommendation 42).

- As part of its ongoing monitoring of rail operators' accreditation, ITSRR conducts a planned audit program. This program includes checking an operator's SMS to ensure it incorporates communication protocols together with the means to monitor and enforce their use (Recommendation 44); and
- ITSRR continues random inspections of accredited rail organisations for compliance with communication protocols which include the monitoring of radio communication protocols and further sampling of audio recordings from RailCorp and ARTC, the main track owner/managers in NSW. In the event of any non-compliance, ITSRR takes appropriate action in line with its Compliance & Enforcement Policy (Recommendation 45).

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.

During the reporting period ITSRR closed and verified the following recommendations:

- Under RailCorp's Train Services Safety Improvement Program (TSSIP), reporting, recording and rectification of defects is now integrated into RailCorp's existing maintenance program for both the electric and diesel fleets (Recommendation 47); and
- a standard for determining when a train is permitted to enter and remain in service has been incorporated into RailCorp's Train Operations Manual (Recommendation 49).

Priorities for the next quarter include further verification of the following RailCorp activities:

- An electronic defect system which permits tracking to finalisation of defect reports (Recommendation 48); and
- Development of suitable processes to ensure that defect rectification is certified, reported and attended to by competent personnel (Recommendation 53).

Alcohol and Drug Testing

SCOI Final Report Recommendations 54-56

These recommendations are intended to ensure random drug and alcohol (D&A) testing continue and that testing is 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.

During the reporting period, ITSRR progressed development of a guideline for mandatory D&A testing following certain accidents and/or incidents. The guideline was released for comment on the 23 December 2005 with industry input due by 17 February 2006. Existing D&A guidelines enable operators to conduct post-incident D&A testing, but do not explicitly require post-incident testing. It is anticipated that the guideline will be completed by 30 April 2006 (a slippage of four months) (Recommendation 55).

Periodic Medical Examinations

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. The majority of safety actions required for this recommendation have been implemented, verified and closed through the adoption of the National Standard for Health Assessment of Rail Safety Workers.

Recommendations 57(d)-(f) were referred to the National Transport Commission (NTC) for review through the maintenance process for the National Standard for Health Assessment of Rail Safety Workers. NTC envisages that this process will be completed by April 2006.

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. It is also important that the Regulator has robust document control processes in place.

During the reporting period, RailCorp claimed closure with respect to the implementation of a safety document management system. This system, known as the Safety Knowledge Management System (SKMS,) enables all relevant staff to access accurate and up to date safety documentation when required. The first safety database components of the SKMS which track investigations conducted by Rail Corp went live at the end October 2005. Further development continues with scoping underway for data bases to manage safety actions arising from investigations as well as other aspects of RailCorp's risk management framework. ITSRR will continue to verify implementation of the SKMS during the next reporting period. (Recommendations 58 and 59).

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.

During the reporting quarter ITSRR continued verification of RailCorp's implementation claims for the following:

- A review of recommendations 1-7 from the Glenbrook SCOI Report (Recommendation 65);
- 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); and
- Training for drivers and guards to encourage teamwork and discourage authority gradients (Recommendation 68).

During the reporting period RailCorp progressed the following:

- A review of current training programs for different categories of rail safety workers to ensure training programs are determined by a thorough needs analysis and reflect an appropriate competence management regime based on the skills and attributes required to carry out defined tasks (Recommendation 70); and
- Created and introduced appropriate positions with responsibility for ensuring each train driver's training needs are being met and any safety concerns of drivers are being properly addressed (Recommendation 71).

During its verification processes ITSRR noted several positive developments:

- A change in Australian Rail Training's business philosophy from internal validation of curriculum design to a service provider approach that satisfies client requirements in skill development;

- Establishment of learning and development officers in the operational business units to identify competence requirements based on operational needs;
- Targeted skill development for rail safety workers to enable them to meet required competencies;
- Risk-based training needs analysis based on operational task analysis incorporating hazard Identification; and
- Establishment of regional training delivery centres to allow easier access to training and competence development for rail safety workers.

During the next quarter ITSRR will undertake further field observations to fully verify implementation of RailCorp's training needs analysis in accordance with SCOI Recommendations 65, 66, 67 & 68.

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 rather than attempting to allocate 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 Investigations (OTSI) and the Australian Transport Safety Bureau (ATSB).

Following publication of the SCOI Final Report, the NSW Government made a number of amendments to the corporate governance arrangements for the investigation of accidents and incidents in NSW. This resulted in the establishment of OTSI as a statutory Government Office separate to ITSRR, effective from 1 July 2005. The Government separated accident investigation

from safety regulation of the rail industry to achieve the SCOI recommendation for a truly independent accident investigation function.

In the reporting quarter the following recommendations were closed and verified:

- A review was undertaken of existing arrangements for transport safety investigations in NSW. The Australian Transport Safety Bureau (ATSB), as a national investigator into transport safety matters, is authorised under the *Transport Safety Investigation Act 2003* (TSI Act), to conduct investigations into railway occurrences on the Defined Interstate Network (DIRN). There is also a signed and executed 'Memorandum of Understanding (MoU) outlining roles and responsibilities between the ATSB and the NSW Rail Safety Regulator for "Just Culture" investigation of rail safety occurrences on the DIRN. OTSI as a separate Government Office now takes up management of this MOU with ATSB (Recommendations 72-74);
- ITSRR has implemented PRISM, a database system linked to a document management system that stores safety and regulatory data from a variety of sources including; incidents, audits, inspections, improvement and prohibition notices, drug and alcohol tests). This enables identification of potential safety threats and a more systematic approach to compliance management and closure of action intended to address these threats. In addition the system has a management reporting capability that ensures captured information is properly monitored and managed (Recommendation 76);
- A Memorandum of Understanding (MoU) between OTSI and ITSRR was signed on Friday 16th December 2005. The purpose of the MoU is to:
 - Foster the working relationship between the parties in relation to the investigation of accidents and incidents; and
 - Facilitate the sharing and exchange of information in relation to investigations.

The MoU details direct working protocols which include but are not limited to; ensuring that all investigation reports produced by OTSI under Section 67 of the *Rail Safety Act 2002* are provided to ITSRR (Recommendation 80);

- Existing legislative provisions in the *Rail Safety Act 2002* facilitate the delivery of OTSI reports to ITSRR and the Minister as follows:
 - The Chief Investigator must provide the Minister with a written report on an investigation (section 67(2));
 - The Minister may request the Chief Investigator to investigate and report on any railway accident or incident that may affect the safe carrying out of railway operations (section 67(3));
 - OTSI provides to the Minister, on the 15th of each month, a list of all section 66 investigation reports forwarded to OTSI by railway operators (section 66(6)).

These provisions meet the required actions for Recommendation 81; and

- The *Transport Legislation Amendment (Waterfall Rail Inquiry Recommendations) Act 2005* amended the *Transport Administration Act 1988* to remove OTSI from ITSRR and establish it as an independent Government Office reporting directly to the Minister for Transport. As a result of this change in OTSI's operational and governance circumstances, it is inappropriate for OTSI to be statutorily subject to review by a Federal agency as suggested by the Commission. OTSI and ATSB have established a mutually beneficial arrangement where information is exchanged and, in addition, all OTSI reports are tabled in Parliament and published on its website. Consequently, recommendation 82 is now re-classified as "Closed No Longer Applicable" as per the classification system on page 50 as events have overtaken its original intention (Recommendation 82).

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. The safety culture recommendations require a plan from RailCorp and a subsequent review by ITSRR.

During the reporting period ITSRR reviewed RailCorp's safety culture plan which resulted in a request for further advice from RailCorp in order to complete verification. During the next quarter ITSRR will review the additional material submitted by RailCorp (Recommendations 83 (a) - (n) and Recommendation 84).

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 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 derailments or collisions, would receive greater attention.

During the reporting period the following progress was made:

- As part of its systems validation audit of RailCorp, ITSRR verified that RailCorp had developed an integrated safety management system which encompasses management of OHS in the overall safety management system. ITSRR also verified that RailCorp had existing processes for

systematic analysis of all current hazards, risks and controls detailed in the following RailCorp documents:

- Safety Risk Management Framework
- Safety Change Management Framework
- Safety Risk Register & Hazard Guidance

As these matters are linked to the closure of Recommendation 34, ITSRR will complete verification processes for these three recommendations together (Recommendations 85 and 86); and

- ITSRR verified that RailCorp's Safety Risk Management Framework (SRMF) provides an organisation wide safety risk management process that reduces safety risks to as low as reasonably practicable (ALARP). This framework can be equally applied to OHS issues as well as the higher consequence low probability railway safety risks which were of concern to the SCOI. There was evidence of the SRMF flowing down through the organisation and of risk assessments considering OHS and railway safety risks concurrently. In addition, RailCorp's Safety Change Management Framework also reviewed by ITSRR ensures that changes made for OHS reasons are also reviewed to see if they have any wider railway safety impacts (Recommendation 87).

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 RailCorp's current Containment Policy which does not allow for self-initiated evacuation by passengers in the event of a serious accident or emergency. In considering these recommendations, ITSRR was mindful of its 2004 Report on *Train Door*

Emergency Egress and Access and Emergency Evacuation Procedures which concluded that:

“...inherent differences in equipment and procedures between train operations within NSW need to be identified and catered for. For example metropolitan train operations and operations within tunnels may present different issues from long distance intercity or interstate travel and the historic rail operators may face different issues again. Due to the differences in equipment and in operating environments, these operators and their passengers face different risks. When imposing standards across a range of operators, there must be enough flexibility to allow for these differences to ensure the safety of the travelling public. These different types of operations need recognition and consideration.”²

During the reporting period the following progress was made:

- RailCorp advised that policy recommendations for evacuation in emergency situations were submitted to its November 2005 Management Board meeting. The Board approved in-principle the amended passenger emergency egress policy and advice will be provided to stakeholder ministers during the next reporting period;
- The National Transport Commission (NTC) reported back to the Australian Transport Council (ATC) of Ministers with respect to the development of a national standard for emergency egress in November 2005 (Recommendations 89 - 93, 95, 98-101). The NTC advised that it would develop a national regulation, subject to the outcome of an impact assessment, specifying requirements for rollingstock in relation to emergency evacuation. Additionally, the NTC (and ITSRR) confirmed that the ARA's Code Management Company would also be including emergency egress requirements in its revised national rollingstock standard

² Train Door Emergency Egress and Access and Emergency Evacuation Procedures 2004, ITSRR, November 2004, (available on ITSRR's website)

for Body Structural Requirements (Roll 20 series) and Interior Crashworthiness (Roll 21 series). The indicative timeframes for implementation of these recommendations has been revised in Appendix 3 on page 55;

- Recommendations 89 – 93 and 98 specified that *all* passenger trains must have: independent methods of self evacuation, be fitted with internal passenger door releases that do not require special keys, be prevented from operating whilst the train is moving, have an override facility and have windows available through which passengers can escape. ITSRR accepts that these are worthy proposals. However, ITSRR also recognises that this recommendation may not be appropriate for “*all* passenger trains” in NSW. It would, for example, be counter-productive for the monorail to be fitted with internal emergency door release mechanisms which passengers could use to escape only to find themselves in potentially more hazardous circumstances. Consequently, ITSRR accepts the intent of the recommendations but would expect operators to apply them subject to a risk assessment which would consider the different technological configurations and geographical limitations of their operations and to adapt their passenger evacuation systems to provide the safest outcome for their travelling passengers (Recommendations 89 – 93 and 98);
- RailCorp continued its program to fit keyless emergency external door release mechanisms to the external doors of its passenger trains. RailCorp advised that the fitting of its Millenium trains is complete. It is expected that this program will be completed for the rest of the fleet by the end of March 2006 (Recommendation 91);
- ITSRR progressed verification of RailCorp’s training of relevant personnel in the location and operation of external emergency door release mechanisms on passenger trains. RailCorp expects the training of station staff in the location and operation of external Emergency Door Release (EDR) mechanisms to be completed by April 2006 (Recommendation 96);

- The CMC advised that standards for 'interior crashworthiness' and "structural requirements" for rolling stock will be developed as part of the revised national rollingstock standards program. ITSRR has been invited to participate in the development of these standards and has formally accepted the invitation. The development of rollingstock standards for Body Structural Requirements (Roll 20 series) and Interior Crashworthiness (Roll 21 series) are scheduled to commence in 2007/08 (Recommendation 101).

During the next quarter ITSRR will continue verification of those passenger evacuation recommendations for which RailCorp has claimed closure.

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 reporting period ITSRR progressed verification of the following recommendations for which RailCorp has claimed closure:

- All RailCorp's Level 2 Managers have obtained formal qualifications in System Safety Management and the position description for each manager reflects such criteria. (Recommendation 102);
- Implementation of an external auditing program to regularly audit and report to the RailCorp Board on the implementation of an integrated safety

management system by RailCorp and on safety performance generally (Recommendation 104);

- RailCorp's Board ensures 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 (Recommendation 105);
- RailCorp conducts a full review of the safety competence of its 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. (Recommendation 106); and
- Introduction of an internal and external audit program to evaluate the adequacy of its safety management system and to ensure that any risk control measures are effective (Recommendation 108).

During the reporting period RailCorp advised ITSRR that the approach it had taken to the introduction of safety accountabilities was not sustainable, that a revised approach is to be adopted and, as a result, it would need more time to implement recommendation 103. The introduction of clear safety accountability statements and reporting lines for all management positions is now expected to be completed by the end of March 2006 (a slippage of 3 months) (Recommendation 103).

Safety Reform

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

This recommendation sought to create a position of Safety Reform Program 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.

During the reporting quarter, ITSRR progressed verification of RailCorp's claim for closure of this recommendation and its sub-elements and expects verification to be completed by the end of January 2006.

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. All of the recommendations in this area have been verified and closed in previous quarters.

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) (Recommendation 121) and the steps RailCorp needs to take to ensure that its SMS is integrated (Recommendation 122 – 124). 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 a rail operator. Such integration is essential to ensure that all hazards, and their associated risks, are identified by an operator, and are properly treated 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.

During the reporting period:

- The NTC provided advice to the Australian Transport Council (ATC) of Ministers in November 2005 on the development of a national regulation for safety management systems. The NTC advised it had drawn on the detail contained in the SCOI Report at Annexure "I" and other aspects of the SCOI Report when developing model regulations for SMS and risk management requirements applicable to rail operators. The model Regulation is likely to be submitted to ATC in August 2006. In the interim, ITSRR is progressing implementation by Regulation of the National Accreditation Package (NAP) which sets out requirements for a rail operator's SMS. On 1 December 2005 ITSRR released an *Information Alert* on its website with formal advice to the NSW rail industry detailing proposed amendments to the *Rail Safety Act 2002 Regulations and Guidelines*, with comments due by 1 February 2006. It is envisaged that the regulations and guidelines will be finalised by 30 June 2006; and
- on 14 December 2005 ITSRR hosted a seminar for the NSW rail industry which provided an overview of the National Accreditation Package (NAP) guideline for safety management systems detailing: a summary of NAP content; NSW Implementation timeframes and the relationship to AS4292 and the national model legislation. The Seminar also addressed key principles of effective safety management systems including: integrated safety management systems; accident causation theory; risk management principles; assessing risks of human factors; consultation during risk management; governance, accountability and internal control; and monitoring and continuous improvement. Also during the reporting period, under the auspices of the Rail Safety Regulators Panel (RSRP), ITSRR provided training for other state and territory regulators to ensure national consistency in the use of tools and techniques for SMS in the implementation of NAP.

NAP Implementation Timeframe

Prior to 30 June 2006:

- New accreditation applications have been assessed using NAP since January 2005;
- NAP is being used for audits and inspections by ITSRR and non-compliances with new requirements of the NAP reported as “observations” to assist operators to prioritise SMS improvements;
- Operators required to include in their Annual Safety Reports to ITSRR, information on any activities to achieve compliance with NAP; and
- The NAP checklist is available to assist operators to identify SMS improvement priorities.

From 30 June 2006:

- NAP guidelines will become the legal standard for the safety management systems (SMS) of all NSW accredited operators;
- Accredited operators will not be required to re-submit their SMS or re-apply for accreditation;
- ITSRR may take enforcement action if audits or inspections find non-compliances with NAP. This enforcement action may take the form of issuing notices and/or a requirement for operators to develop plans that outline a process and timeframe for achieving compliance (Recommendation 121); and
- RailCorp claimed closure on the establishment of its integrated SMS during the reporting period. In addition, RailCorp has made significant progress in implementing its integrated SMS and has established suitable processes to ensure it achieves full implementation. Evidence of this was obtained from ITSRR’s audit of RailCorp (Recommendations 122).

During the reporting period ITSRR closed and verified the following:

- RailCorp’s Safety Management System (SMS) incorporates the 29 elements for a SMS recommended by SCOI (Recommendation 123); and

- ITSRR has processes in place to ensure on-going monitoring and improvement of RailCorp's integrated SMS including an annual audit and regular inspections. Where ITSRR is not satisfied with the level of implementation, it will take appropriate compliance and enforcement action depending upon the nature and extent of non-compliance (Recommendations 124).

During the next quarter ITSRR will continue verification of RailCorp's claim for closure with respect to its integrated SMS (Recommendation 122).

Summary

- The public reporting process associated with the Quarterly Reports on implementing the NSW Government's response to the SCOI Final Report sharpens both industry and public focus on rail safety. With 62 (35%) recommendations closed, 68 (38%) recommendations claimed for closure and a further 26 (15%) recommendations scheduled for implementation by the end of the 2006 calendar year, bringing the total number due for completion by the end of 2006 to 156 (88%), satisfactory progress is being made against the Implementation Plan.

Progress outlined in this report represents substantial advancement on implementation of the SCOI safety reforms with significant numbers of recommendations nominated for closure by agencies or verified and closed by ITSRR in the reporting period.

Nevertheless, the implementation of the NSW Government's response to the Special Commission of Inquiry into the Waterfall Accident must be seen in context. As recognised 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. The Implementation Plan is on schedule to deliver this outcome.

APPENDIX 1 – TABLES AND GRAPHS

This table lists the recommendations for which each agency is responsible:

TABLE 1: 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

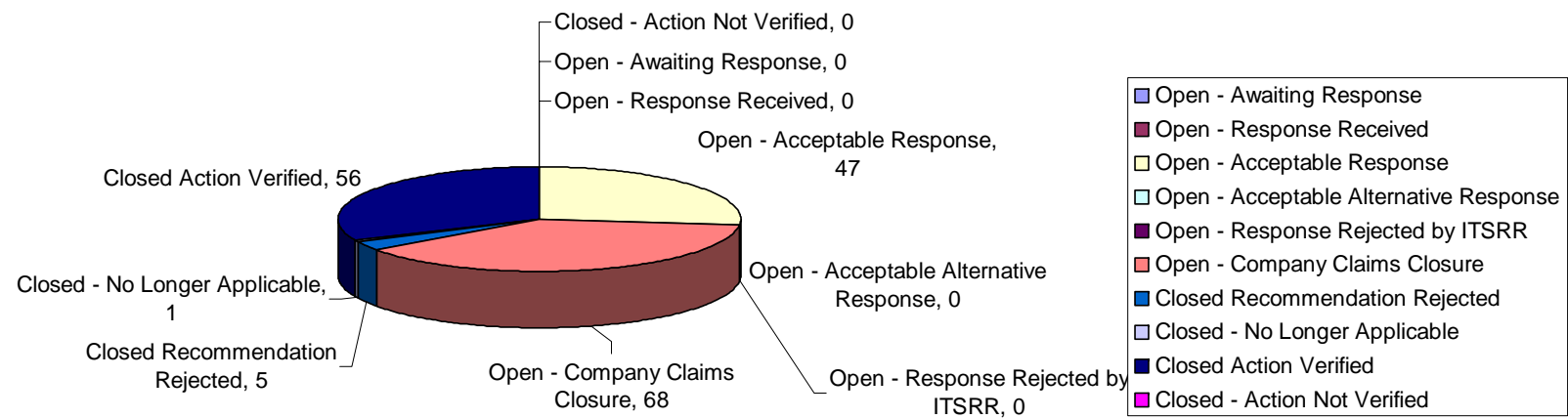
At the end of the fourth quarter 2005, the status of the 177 Recommendations including sub-elements of the SCOI Final Report is detailed in the following table:

TABLE 2: STATUS OF RECOMMENDATIONS INCLUDING SUB-ELEMENTS FOR FOURTH QUARTER 2005

Operator	Open-Awaiting Response	Open-Response Received	Open-Acceptable Response	Open-Acceptable Alternate Response	Open-Response Rejected	Open-Company Claims Closure	Closed-Recommendation Rejected	Closed-No Longer Applicable	Closed-Action Verified	Closed-Action Not Verified	Total
Not Assigned							5				5
RailCorp			15			67			21		103
Independent Transport Safety & Reliability Regulator			26			1			30		57
Office of Transport Safety Investigation			0					1	4		5
NSW Emergency Services			2								2
RailCorp and NSW Emergency Services			4						1		5
TOTAL	0	0	47	0	0	68	5	1	56	0	177

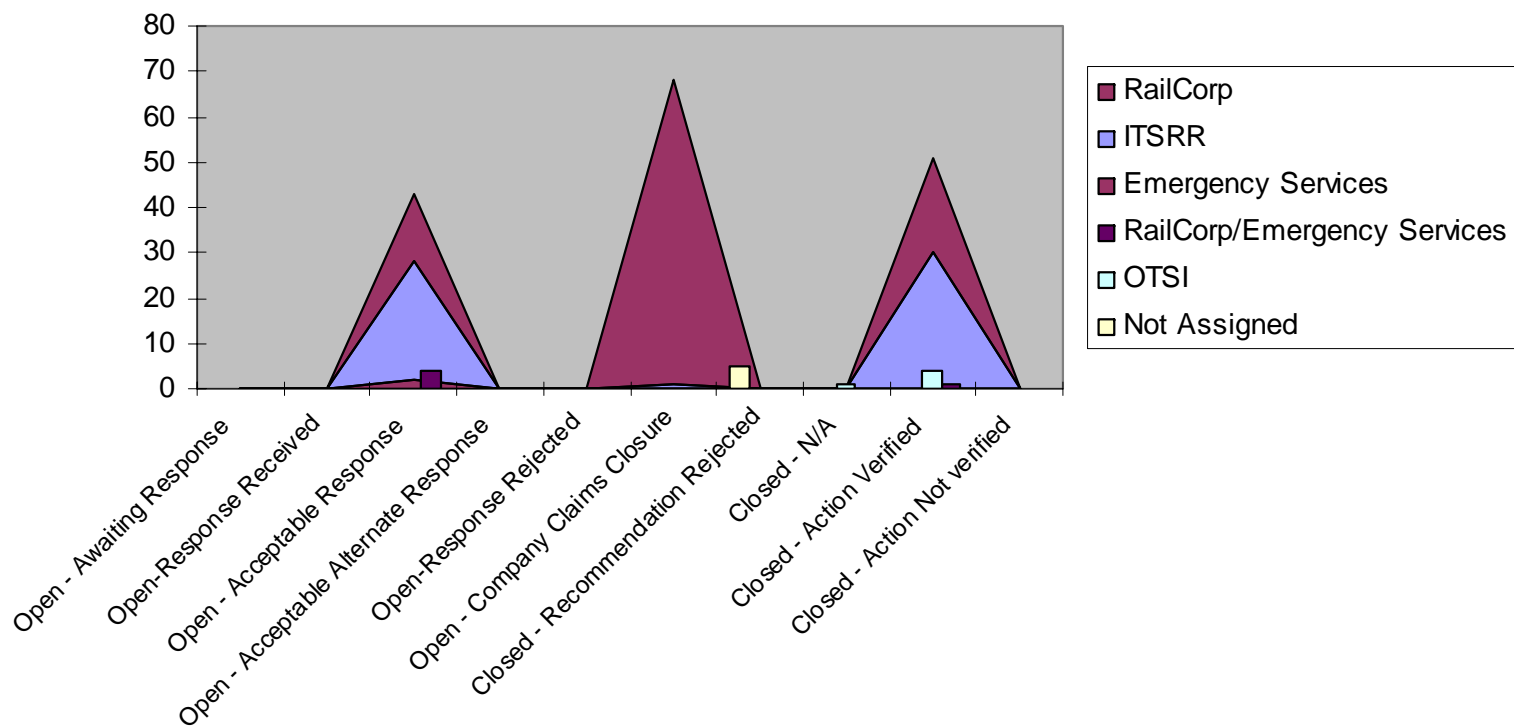
The graph below illustrates the recommendations according to their respective status.

GRAPH 2: CURRENT STATUS OF AGGREGATE RECOMMENDATIONS INCLUDING SUB-ELEMENTS AS OF FOURTH QUARTER 2005



The graphs below illustrate 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 3: STATUS OF RECOMMENDATIONS AND SUB-ELEMENT BY RESPONSIBLE AGENCY AS OF FOURTH 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 3: STATUS OF RECOMMENDATIONS BY THEME AS OF FOURTH QUARTER 2005

Theme	Open-Awaiting Response	Open-Response Received	Open-Acceptable Response	Open-Acceptable Alternate Response	Open-Response Rejected	Open-Company Claims Closure	Closed-Recommendation Rejected	Closed-No Longer Applicable	Closed-Action Verified	Closed-Action Not Verified	Total
Emergency Response 1-28	0	0	9	0	0	6	0	0	13	0	28
Procurement & design of rollingstock 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	0	0	0	8	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	4	0	0	0	0	0	5	0	9
Train Maintenance 47-53	0	0	2	0	0	2	0	0	3	0	7
Alcohol & Drug Testing 54-56	0	0	1	0	0	0	0	0	2	0	3
Periodic Medical Examinations 57	0	0	3	0	0	0	0	0	6	0	9
Safety Document Control 58-64	0	0	1	0	0	2	0	0	4	0	7
Train Driver and Guard Training 65-71	0	0	3	0	0	4	0	0	0	0	7
Rail Accident Investigation 72-82	0	0	0	0	0	0	0	1	10	0	11
Safety Culture 83-84	0	0	0	0	0	15	0	0	0	0	15
OH&S 85-87	0	0	0	0	0	2	0	0	1	0	3
Passenger Safety 88-101	0	0	13	0	0	1	0	0	0	0	14
Corporate Governance 102-109	0	0	3	0	0	5	0	0	0	0	8
Safety Reform 110	0	0	0	0	0	5	0	0	0	0	5
Safety Regulation 111-120	0	0	0	0	0	0	3	0	7	0	10
Integrated Safety Management 121-124	0	0	1	0	0	18	0	0	2	0	21
Implementation of Recommendations 125-127	0	0	0	0	0	0	1	0	3	0	4
TOTAL	0	0	47	0	0	68	5	1	56	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 5 at page 50 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 4: TAXONOMY FOR CLASSIFICATION SYSTEM

	STATUS	DEFINITION
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.

Other 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

NB: This table lists only the recommendations which were closed in the last quarter, or remain to be implemented. Those recommendations closed in previous quarters do not appear. A complete list of all recommendations is contained in the First Report, on ITSRR's website at: <http://www.transportregulator.nsw.gov.au>

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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	31/03/2006

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 need 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. Verification of elements a-g in relation to training will be covered in Recommendation 20.	RailCorp	Closed		31/07/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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 (r.e. Current coverage of network, e.g. does it cover 65%.) Review existence planning / funding (r.e. 90% coverage 2008.) Existence of plans / project to review options available.	RailCorp	Open	Acceptable Response	31/03/2006

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	+ 31/01/2006

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	Agency Claims Closure	31/10/2005
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	Agency Claims Closure	31/10/2005

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 and NSW Emergency Services	Open	Acceptable Response	30/06/2006
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	That a joint or jointly developed plan is produced by the Agencies. The details of the plan are top 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	Agency Claims Closure	31/07/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
	early 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: ensuring that staff can implement procedures will be covered by Recommendation 20.	RailCorp	Closed		31/07/2005

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.	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. 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 will be covered in Recommendation 20.	RailCorp	Closed		31/07/2005

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 co-ordinating 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 will be covered in Recommendation 20	RailCorp	Closed		31/07/2005
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 will be covered by Recommendation 20.	RailCorp	Closed		31/07/2005

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.	NSW Emergency Services	Open	Acceptable Response	31/03/2006
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 RailCorp (Track Manager).- Training Issues to ensure that staff can implement will be covered by Recommendation 20.	RailCorp	Closed		31/07/2005

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 will be covered in Recommendation 20.	RailCorp	Closed		31/07/2005
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	Agency Claims Closure	31/07/2005

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	Agency Claims Closure	31/10/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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. To ensure that training requirements met under Recommendation 3 namely, 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	RailCorp	Open	Acceptable Response	30/06/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
		Skills assessment; f) Evidence of responsibilities in PD; g) Evidence of responsibilities reflected in plan. To ensure that staff can implement emergency procedures in respect of Recommendations: 11 (use by all emergency response personnel of a uniform incident command system); 12 (appointment of a rail emergency management co-ordinator at the RMC, and an on-site rail commander); 13 (Site Controller to have complete control of the site & the Rail Commander must report to this position); 14 (Incident Command System has clearly identified roles and that a joint or jointly developed plan is produced by the Agencies); 16 (rail commander should provide support and assistance to the site controller and emergency services personnel); 17 (The rail commander should have complete authority to direct and control all response personnel from rail organisations).				

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 co-ordination 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	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 and NSW Emergency Services	Open	Acceptable Response	31/03/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
	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.					

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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 is 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 ARTC RailCorp, if used, and Training Issues, if they are found to be a factor.	RailCorp	Closed		31/07/2005
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	RailCorp and NSW Emergency Services	Open	Acceptable Response	31/03/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
		Rail Operators and Emergency Services.				
24. Regular field training exercises should be conducted by RailCorp with the emergency services to ensure that the incident command system and rail displan 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 and NSW Emergency Services	Closed		31/10/2005

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	Agency Claims Closure	31/10/2005
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	RailCorp	Closed		30/09/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
		changes.				
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.	Program established for exercise in consultation with Emergency Services.	RailCorp and NSW Emergency Services	Open	Acceptable Response	31/03/2006
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	30/06/2006

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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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 other trains. ITSRR to establish position following review.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	+ 30/01/2006

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 8 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	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	30/09/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
	<p>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.</p>					

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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. Risk assessment and risk control procedures.	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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
34.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 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	Agency Claims Closure	31/10/2005
34.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
34.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).	RailCorp	Open	Agency Claims Closure	31/10/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
34.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
34.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
34.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
34.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
34.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	Supported.	RailCorp's new Risk Management framework will incorporate requirements Recommendation 34(a) to (h).	RailCorp	Open	Agency Claims Closure	31/10/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
accident.						
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006

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 to 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)	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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	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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	31/12/2010

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
	inter-operability, this has been a longer-term initiative and the first stage of its implementation will commence in 2005.					

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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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	Closed		31/07/2005
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.	Independent Transport Safety & Reliability Regulator	Closed		31/12/2005

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.	Independent Transport Safety & Reliability Regulator	Closed		31/12/2005
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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.	Independent Transport Safety & Reliability Regulator	Closed		31/12/2005
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.	Independent Transport Safety & Reliability	Closed		31/12/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
			Regulator			
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	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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	31/03/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
	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.					
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	Closed		30/06/2005
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 ended and tracked to finalisation.	RailCorp	Open	Agency Claims Closure	30/06/2005

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	Closed		30/06/2005
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	30/09/2006
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	31/12/2006
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 document risk assessment and/or business case by RailCorp, detailing how train integrity on entering into service is to be managed.	RailCorp	Open	Agency Claims Closure	31/10/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	+ 30/04/2006
57.d) The ITSRR should develop standards for periodic medical examinations which include the following: 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. 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	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/06/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
57.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	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/06/2006
57.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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/06/2006
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	Agency Claims Closure	31/10/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
59. The safety document management system should provide for the distribution of electronic versions of safety documentation to relevant staff.	Supported and being implemented.	RailCorp Safety Document Management System provides for the distribution of electronic versions of safety documentation to relevant staff.	RailCorp	Open	Agency Claims Closure	31/10/2005
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	30/06/2006
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	Agency Claims Closure	31/07/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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. (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	Agency Claims Closure	30/06/2005
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	Agency Claims Closure	30/06/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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	Agency Claims Closure	31/07/2005
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	30/06/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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	Acceptable Response	31/12/2006
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 of appropriate position to carry out functions outlined in Rec 71.	RailCorp	Open	Acceptable Response	30/09/2006
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.	Office of Transport Safety Investigation	Closed		31/12/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
73. The ITSRR should ensure that OTSI, as a division of ITSRR, co-operates 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.	Office of Transport Safety Investigation	Closed		31/12/2005
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.	Office of Transport Safety Investigation	Closed		31/12/2005
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.	Independent Transport Safety & Reliability Regulator	Closed		31/12/2005
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.	Independent Transport Safety & Reliability Regulator	Closed		31/12/2005
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	Office of Transport Safety Investigation	Closed		30/12/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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	No longer applicable as events have overtaken the intention. The Transport Legislation Amendment (Waterfall Railway Inquiry Recommendations) Act 2005 (assented 27 June 2005) amended the TAA 1988 to remove OTSI from ITSRR and establish OTSI as an independent statutory body reporting directly to the Minister for Transport. As a result of this change in OTSI's operational and governance circumstances it is inappropriate for OTSI reports to be statutorily subject to review by a federal agency. OTSI and ATSB have established a mutually beneficial arrangement where information is exchanged and, in addition all OTSI investigation reports are tabled in Parliament and published on its website.	Review and develop appropriate MOU.	Office of Transport Safety Investigation	Closed	No Longer Applicable	31/12/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
83.a) RailCorp should develop a plan to be submitted to ITSRR to address the deficiencies in the safety culture of RailCorp, including: 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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
83.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).	RailCorp	Open	Agency Claims Closure	31/10/2005
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.	Independent Transport Safety & Reliability Regulator	Open	Agency Claims Closure	31/12/2005
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 overall safety management	Supported and being implemented.	RailCorp to demonstrate the implementation of an integrated SMS as detailed in their accreditation application.	RailCorp	Open	Agency Claims Closure	30/06/2005
86. RailCorp should integrate its management of OHS into its overall safety management	Supported and being implemented.	Requirements to be part of SMS.	RailCorp	Open	Agency Claims Closure	30/06/2005
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	Closed		30/06/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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	31/03/2006

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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006

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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	+ 30/03/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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	Agency Claims Closure	30/04/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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.	NSW Emergency Services	Open	Acceptable Response	31/03/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2007

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	Agency Claims Closure	31/10/2005
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	+ 31/03/2006
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	Agency Claims Closure	31/07/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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	Agency Claims Closure	31/12/2005
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	Agency Claims Closure	31/12/2005
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	30/09/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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	Agency Claims Closure	31/07/2005
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	31/03/2006

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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: 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).	RailCorp	Open	Agency Claims Closure	31/07/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
110.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).	RailCorp	Open	Agency Claims Closure	31/07/2005
110.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).	RailCorp	Open	Agency Claims Closure	31/07/2005
110.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).	RailCorp	Open	Agency Claims Closure	31/07/2005
110.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).	RailCorp	Open	Agency Claims Closure	31/07/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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.	Independent Transport Safety & Reliability Regulator	Open	Acceptable Response	* 30/09/2006
122. RailCorp should establish an integrated safety management system which includes the following: 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	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f).	RailCorp	Open	Agency Claims Closure	31/12/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
	recommendation to ensure consistency.					
122.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).	RailCorp	Open	Agency Claims Closure	31/12/2005
122.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).	RailCorp	Open	Agency Claims Closure	31/12/2005
122.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).	RailCorp	Open	Agency Claims Closure	31/12/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
122.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).	RailCorp	Open	Agency Claims Closure	31/12/2005
122.f) development of risk management procedures, including fi) to fxii).	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	Agency Claims Closure	31/12/2005
122.i) analysis of the nature of the activities being undertaken	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	Agency Claims Closure	31/12/2005
122.ii) identification of all potential hazards within those activities	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	Agency Claims Closure	31/12/2005
122.iii) analysis of the nature of the hazard	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	Agency Claims Closure	31/12/2005
122.iv) analysis of the risks of the hazard materialising	RailCorp will review its integrated safety management system against this recommendation to	RailCorp to review its SMS to ensure that it incorporates requirements from recommendation 122 (a) - (f).	RailCorp	Open	Agency Claims Closure	31/12/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
	ensure consistency.					
122.v) development of controls to mitigate the risk;	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	Agency Claims Closure	31/12/2005
122.vi) development of systems for monitoring the effectiveness of the controls to ensure that they are working;	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	Agency Claims Closure	31/12/2005
122.vii) development of a continuing program to enhance the development of safe practices at all levels of the organisation;	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	Agency Claims Closure	31/12/2005
122.viii) development of key performance indicators for safety performance by all persons in management positions;	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	Agency Claims Closure	31/12/2005
122.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 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	Agency Claims Closure	31/12/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
122.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 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	Agency Claims Closure	31/12/2005
122.xi) design and implementation of communications protocols, including standard phraseology, with particular standard phraseology for emergency situations; and	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	Agency Claims Closure	31/12/2005
122.xii) development of training systems, based upon training needs analysis.	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	Agency Claims Closure	31/12/2005
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	Closed		30/06/2005

Recommendation	Government Response	ITSRR Expectation	Agency	Status	ITSRR Assessment	Target Date
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.	Independent Transport Safety & Reliability Regulator	Closed		31/12/2005