

# Deviation Certificate

(In accordance with the Railway Standards Code and Standards Manual)

**Deviation number: 24-039-DEV**

## 1. Problem statement

This application is to expand on an existing deviation, 23-021-DEV. 23-021-DEV is a national deviation, issued to Network Rail, that allows for the creation of a "virtual work site" in between regular work sites in a T3 possession. This process is referred to as "work site X".

The arrangements authorised in 23-021-DEV only permit the work site X arrangement to be applied between existing work sites in a possession. They specifically exclude the area between the possession limit board (PLB) and the outermost work site marker board (WSMB) at either end of the possession. On the outer areas of Kent, Sussex & Wessex, the area between PLB and the outermost WSMB could be a number of miles, meaning there is a lot of wasted opportunity for a safer way of working. This application is for a local amendment to 23-021-DEV that would allow work site X to be set up in these areas as well.

## 2. Title of deviation certificate

Local amendment to 23-021-DEV, "Work site X in T3 possessions using an Engineering Supervisor"

## 3. What is the requirement you can't comply with?

Requirement Number:	Document Number:	Issue Number:	Issue Date:	Title of document:
7	GERT8000-HB11	11	Sep 2024	Duties of the Person in charge of the possession (PICOP)

### 7 Allowing work outside a work site

You may allow a COSS or IWA to set up a safe system of work that uses warning of approaching trains in the area between work sites.

You must make sure the COSS or IWA fully understand the details of the possession, including the time the possession is to be given up.

You must instruct each COSS or IWA that engineering trains or OTP may approach at any time and at a speed of up to 40 km/h (25 mph) in either direction on any line under possession.

You must record the details, including the name of each COSS or IWA on your RT3198 ERTMS form.

You must not give up the possession until each COSS or IWA involved has told you they no longer need to rely on the possession arrangements.

#### **4. Why can't you comply with the existing requirement?**

Network Rail is actively reducing the number of staff with a lookout competence nationally, as part of a cross-industry drive to reduce the use of unassisted lookout working.

In Southern Region, staff are required to undertake a detailed risk assessment for any occurrence of using lookout warning. This is having a detrimental effect on the ability of Civil Examination Framework Agreement (CEFA) contractors to plan their works. Justifying that no alternative exists makes this planning process very cumbersome. To that end, a backlog has started to develop on the inspection regime associated with CEFA Contractors Nationally.

Network Rail has worked with the CEFA Contractors in producing this deviation, as they believe that this can help them to meet the commitments to Network Rail whilst not using unassisted lookouts as a warning system within possessions.

The geography of the outer areas of the Kent, Sussex and Wessex Routes means that there could be a number of miles between the PLB and outermost WSMB at either end of a possession. 23-021-DEV does not permit work site X arrangements to be applied in these areas, leading to missed opportunities to apply this way of working.

#### **5. Where can't you comply with the requirement?**

The Kent, Sussex and Wessex Routes of Network Rail.

#### **6. What are you proposing to do instead of the existing requirement?**

The arrangements to be applied will be exactly in line with those specified in 23-021-DEV, with the following exception: this deviation will also permit work site X arrangements to be applied at either end of the possession between the PLB and outermost WSMB.

The activities permitted under the work site X arrangements will be exactly in line with 23-021-DEV.

#### **7. How long would you like the deviation to last and is there anything that would affect the length of the deviation?**

<b>Start date</b>	<b>End date</b>
01/02/2025	31/12/2026

This end date is requested to align with the end date of existing deviation 23-021-DEV.

#### **8. Demonstrate that what you are proposing to do instead is reasonable.**

The applicant has provided a briefing explaining the proposed arrangements [1], a problem statement setting out the rationale for them [2], and a risk assessment based on the outcomes of a hazard identification (HAZID) workshop [3].

The applicant believes that this deviation would create safer environments for low-risk activities in "PICOP" controlled areas of the possession.

#### **9. Demonstrate consultation with all affected parties has been carried out and their agreed support.**

A Transport Salaried Staffs' Association (TSSA) representative was involved in the HAZID workshop on the 12/09/2024.

A separate meeting was held with the National Union of Rail, Maritime and Transport Workers (RMT) representative to discuss the proposal before the panel meets where feedback can be shared.

#### **10. What alternative options have been rejected and the rationale?**

The current agreed work site X deviation, 23-021-DEV, has limitations that prevent it from being rolled out in certain areas. Kent are currently using a previous version of work site X IRIS exemptions [2] which, in effect, are in line with unassisted lookout working.

This proposal will maximise the opportunity to better utilise otherwise unavailable access.

#### **11. What supporting documents/information are you providing?**

[1] Briefing. Worksite X with Engineering Supervisor. Southern.

[2] Worksite X – Problem Statement. Amended. A document highlighting more detail around the current problem, impact, benefits and a PPS example of the issue.

[3] Risk Assessment Report from 12/08/2024 HAZID Workshop. Use of Worksite X Extremities.

#### **12. Is the certificate for a project requiring authorisation for placing in service under the Railways (Interoperability) Regulations 2011?**

No

#### **13. Applicant details and status**

<b>Applicant job title</b>	<b>Applicant company/organisation</b>	<b>Applicant company/organisation address</b>
Programme Manager	Network Rail	Puddle Dock, London E2

Applying as:

- The party who must currently comply, or may reasonably be expected to have to comply in the future, with the requirement.

#### **Your reference number**

NR/WSX/ES/001. TR113490.

<b>Applicant's signature</b>	Programme Manager	<b>Date received</b>	11/11/2024
<b>Name of Committee</b>	<b>Date of meeting</b>	<b>Minute reference</b>	
TOM SC	03/12/2024	TOM/03122024/6.2	

**Authorised by Director of Standards:****Date of Authorisation:**

Number 4360

16/12/2024

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