



RSC Annual Report 2014



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The RSC are grateful to Neil Dinnen for allowing us to use his copyright images in this report.

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In compliance with Section 28(3) of the Railway Safety Act 2005, the Railway Safety Commission (RSC) is required to present an annual report to the Minister for Transport, Tourism & Sport. This is the Annual Report for the year 2014 and, in addition to providing information on the activities, administration and governance of the RSC; it presents statistical data on the safety performance of the various railway organisations operating in Ireland during the year under review.

The RSC continues to participate with the National Safety Authorities of the other Member States of the European Union in the on-going development and implementation of the European railway regulatory framework. During 2014 the RSC provided technical advice to the Department of Transport, Tourism & Sport (DTTAS) in regard to transposition of European Directives into national law.

EU Regulations prescribe the methods by which railway Infrastructure Managers and Railway Undertakings are to be supervised to ensure that they apply and comply with their respective approved Safety Management System (SMS). The RSC audit and inspection regime ensures that duty holders' compliance with their respective SMS is supervised in accordance with the common safety method specified in Commission Regulation (EU) No.1077/2012.

The RSC's Workforce Planning Strategy update of April 2013 to DTTAS contains a clear statement on technical expertise required to execute the tasks arising from its legally mandated functions in respect of regulation of railway safety. However, employment controls across the public sector still applied throughout 2014. This resulted in the RSC continuing to depend for technical resources on a combination of graduate engineers seconded from Engineers Ireland supported by external experts for specialist requirements.

The graduate training and development programme will not be completed until the end of Q3, 2016. However, the RSC is on target to reduce its requirement for external support to sustainable levels in the latter half of 2015.

Sanction was granted by Department of Public Expenditure & Reform (DPER) on 15th October 2014 for an increase in the ECF target for the RSC by 6 whole time equivalent posts and approval given for the associated recruitment of Railway Safety Inspectors at Engineer Grade 2 level. All conditions for initiating the recruitment campaign were met by the end of November, and the RSC proceeded to make arrangements for the process to commence in Q1, 2015

The delivery of the Iarnród Éireann EU conformity project, whereby internal re-organisation split the activities of the Infrastructure Manager and Railway Undertaking between separate business divisions, has proved successful. Each division continues to operate under its own individual SMS in compliance with Directive 2004/49/EC.

In terms of those areas that were outlined in the 2013 Annual Report as the focus for particular attention during 2014, the RSC has delivered on its responsibilities as follows:

- Continued technical support to DTTAS in the amendment of railway safety legislation to ensure compliance with EU Directives
 - o S.I. No.258 of 2014, European Union (Railway Safety) (Reporting and Investigation of serious accidents, accidents and incidents) Regulations, was signed into effect by the Minister on 12th June 2014
- Implementation of legal separation of the RAIU from the RSC so as to fully comply with EU requirements:
 - o Railway accident investigation function transferred from RSC to DTTAS (and RSC staff dedicated to investigation work seconded to DTTAS) with effect from 1st July 2014. Three Investigators transferred to DTTAS payroll on 16th December 2014
- Professional development of graduate engineers so as to avert any shortfall in specialist technical human resources that might impair the RSC in delivering on its obligations under EU and national legislation:
 - o Continued growth in knowledge and experience of the graduates seconded to the RSC yielded a further reduction in the dependence on high-cost consultants to undertake core activities;
- Further development of processes and procedures in conformity with ISO requirements to enable RSC achieve accreditation
 - o Development of the RSC Quality Management System proved to be slower than planned due to the non-availability of resource (One RSC Inspector who had been seconded to the RAIU was not released as planned at end of Q1, 2014). It is anticipated that this important project will speed up again following the recruitment of Inspectors in Q1, 2015;
- Completion of assessment of the safety management system submitted by Balfour Beatty Rail Ireland (BBRI), and consequent safety certification
 - o Safety Certificate issued to BBRI 24th February 2014;

Foreword



- Comprehensive review of inherent risks associated with the current Iarnród Éireann signalling and telecommunications systems
 - Risk assessment and human factors review conducted by independent experts on behalf of RSC delivered in Q4, 2014, and overarching report to be finalised by the RSC in Q1, 2015;
- Roll out of ECM certification to Iarnród Éireann passenger and locomotive fleets
 - Work in progress on a fleet-by-fleet basis and process well-advanced for the Class 22000 ICR fleet. Other fleet types to be addressed during 2015;
- On-going engagement with the Railway Procurement Agency in the assessment of the new works for the LUAS Cross-City extension
 - The six-stage process that will lead to Authorisation to Place in Service the LCC extension has commenced. A Letter of Acceptance for Stage 1 (“Concept Stage”) is due to be issued to the RPA in Q1, 2015, and the RSC continues to meet and work with the RPA towards their delivery of the five other APIS stages;
- Conformity assessment of safety management systems (SMS) submitted by self-contained heritage railways, and consequent safety certification of each of those railway organisations
 - RSC issued Safety Certificates as follows:
 - Lartigue Mono Railway, 6th March 2014
 - CumannTreanach na Gaeltacht, 16th April 2014
 - Diffilin Lake Railway, 28th April 2014
 - Waterford & Suir Valley Railway, 1st May 2014
 - Irish Steam Preservation Society, 16th May 2014
- Ongoing co-operation with the DTTAS in the amendment of legislation and assignment of functions in relation to the economic regulation of the railway sector in compliance with EU Directives
 - Regulations transposing Directive 2012/34/EU, Single European Railway Area (recast), have been drafted

In accordance with Regulation 4(2) of S.I. No.444 of 2013, each infrastructure manager and each railway undertaking shall, not later than 30th June in each year, submit an annual safety report to the RSC concerning the preceding year. In compliance with Article 18 of Directive 2004/49/EC (the Railway Safety Directive) the RSC is required to send a report concerning its activities in the preceding year to the European Railway Agency by 30th September at the latest.

Statistical information relating to the safety performance of the railway organisations, as submitted in their annual reports, will be analysed and published by the RSC at the end of Q3, 2015, in a separate report. Statistical reports from previous years are available on the RSC website www.rsc.ie

The independent chairperson, who was appointed by the RSC to oversee implementation of the recommendations made in the report on *Review of circumstances that may inhibit early identification of critical safety information during an investigation of an accident or incident*, submitted his report in December 2014, and a copy was subsequently forwarded to DTTAS.

In conclusion, I would thank each member of the RSC team for their commitment and support of our mission – *To advance the safety of railways in Ireland through diligent supervision and enforcement* - and thereby ensure delivery of our statutory duties during 2014.

Gerald Beesley

Commissioner for Railway Safety March 2015

1. The Railway Safety Commission

1.1 Origin and Role of the Railway Safety Commission

The Railway Safety Commission (RSC) was established on 1st January 2006 in accordance with the provisions of the Railway Safety Act (RSA) 2005, and it is the Competent Authority responsible for:

- Safety Supervision of Infrastructure Managers and Railway Undertakings in compliance with Directive 2004/49/EC and Regulation (EU) No.1177/2012;
- Safety Supervision of other Railway Organisations in compliance with the Railway Safety Act;
- Conformity Assessment of Safety Management Systems in compliance with Directive 2004/49/EC and Regulation (EU) No.1158/2010 and Regulation (EU) No.1169/2010 as a pre-requisite to safety authorisation of Infrastructure Managers / safety certification of Railway Undertakings;
- Conformity Assessment of Safety Management Systems in compliance with Railway Safety Act prior to the award of safety certification of other Railway Organisations;
- Safety Assessment of new and significantly altered structural sub-systems and vehicles in compliance with Directive 2008/57/EC or the Railway Safety Act;
- Certification of Entities in Charge of Maintenance in compliance with Regulation (EU) No.445/2011;
- Certification of train drivers in compliance with Directive 2007/59/EC;
- Certification of Advisors for carriage of dangerous goods on rail in compliance with S.I.651 of 2010;
- Authorisation of cableways in compliance with S.I. 470 of 2003 (as amended by S.I. 766 of 2007);
- Development of the railway regulatory framework in accordance with European Directives; and
- Application of enforcement measures in accordance with Part 7 of the Railway Safety Act 2005.

In the context of Directive 2004/49/EC (the Railway Safety Directive) the RSC is the National Safety Authority for the railway sector in the Republic of Ireland. As the independent regulatory agency charged with oversight of the safety of all railway activities in the State, the RSC is required to ensure that each Railway Organisation operating in the State understands and effectively manages the risk to safety associated with its activities. This is achieved in three ways, viz.:

Conformity Assessment — Assessing Safety Management Systems (SMS) to ensure that they conform to requirements prior to awarding safety authorisation or safety certificates, and assessment of new railway infrastructure and rolling stock to ensure safety compliance prior to placing in service.

Compliance Supervision & Enforcement — Audit of duty holders' compliance with the procedures and standards prescribed in each approved SMS, and inspection of railway assets to assess compliance with fitness for purpose criteria. Compliance with safety recommendations is assured through the monitoring of implementation plans and by taking enforcement proceedings where necessary; and

European & Legislative Harmonisation — Supporting the harmonisation of legislation with European Directives and Regulations, and ensuring that consequent implementation of related technical and procedural measures conforms to mandatory European requirements.

1.2 Structure and Organisation

The RSC is a small, specialist technical organisation staffed with professional engineers supported by a two-person administrative team. A flat reporting structure promotes and facilitates the free-flow of information and ideas, encouraging consultation and creative thinking. Not only does this enable the RSC to meet the requirements of the functions mandated by European and national legislation, but it also provides the flexibility needed to respond effectively to immediate and unforeseen work demands.

The employment controls across the public sector still applied throughout 2014. In order to ensure that an adequate corporate capability for regulation of railway safety was available during the year, the RSC continued to engage a combination of graduate engineers (seconded from Engineers Ireland) and support from external technical experts for specialist requirements.

The graduate training and development programme, initiated in September 2011 will not be complete until the end of Q3, 2016. However, due to the continued growth in knowledge and experience of the graduate engineers, the RSC remains on target to reduce its requirement for external support to sustainable levels in the latter half of 2015.

1. The Railway Safety Commission

1.2.1 Risk Mitigation Measures

The bespoke graduate training & development programme is a key component of the RSC workforce planning strategy. Its objective is to ensure that adequate railway-specific technical knowledge and skills are available within the RSC so as to deliver on legally-bound duties with the minimum recourse to external consultants.

As reported in the 2013 Annual Report, the RSC had already delivered on three of the four specific outcomes of the programme:

- (i) to facilitate the development of bespoke skills for regulation of safety in the Irish railway sector;
- (ii) to provide a positive contribution to graduate employment; and
- (iii) to permit an on-going reduction in the quantum of costly external support.

The fourth outcome of the graduate training & development programme (to buy time - at least until mid-2014 - before the employment of staff would have to take place) has now been realised. On 15th October 2014 sanction was granted by Department of Public Expenditure & Reform (DPER) for an increase in the ECF target for the RSC by 6 whole time equivalent posts, and approval was given for the associated recruitment of Railway Safety Inspectors.

Conditions for initiating the recruitment campaign were met by the end of November, and the RSC proceeded to make arrangements for the process to commence in Q1, 2015. Subject to a successful outcome, the RSC will be able to engage on a permanent basis the number of competent specialists that are required to keep the RSC adequately resourced from 2015 onward.

1.2.2 Professional Development

The graduate training programme is only a part of the overall drive to enhance knowledge and skills within the RSC team. Each team member is encouraged to partake in activities recognised by professional bodies as contributing to their continuing professional development. The professional and academic advances achieved during 2014 were as follows:

- One Principal Inspector and two graduate engineers awarded the registered professional title of Chartered Engineer (CEng)
- Administration Assistant awarded a BSc in Human Resource Management from the Dublin Institute of Technology



1.3 Railway Accident Investigation Unit

The purpose of an investigation into a railway accident or incident is to determine the direct and immediate causes of the occurrence (including contributory factors relating to actions taken by persons involved, or the condition of rolling stock or technical installations); underlying causes relating to skills, procedures, and maintenance; and root causes relating to the regulatory framework and application of safety management systems; and, where necessary, to make safety recommendations the objective of which is the possible improvement of railway safety and prevention of accidents.

Investigations that are conducted by the Railway Accident Investigation Unit (RAIU) are strictly 'for cause', that is to say they seek to identify the full facts of an incident and why it occurred with a view to preventing a recurrence. Directive 2004/49/EC specifies, in terms of injury and loss, the minimum threshold above which accident investigation is mandatory. Investigation of incidents of lesser impact is discretionary.

Section 55 of the Railway Safety Act 2005 provided for the establishment of a Railway Accident Investigation Unit (RAIU) within the RSC. This is the situation that pertained until 1st July 2014, when the function was transferred to the DTTAS in compliance with the provisions of S.I. No.258 of 2014.

During 2014, prior to its separation from the RSC, the RAIU initiated three formal investigations into railway accidents and incidents that occurred on the Iarnród Éireann network:

- Rockfall that occurred at Waterford (Plunkett) station on 31st December 2013
- Collision of Post Office van and train at Corraun level crossing (XX024), Ballina branch, 7th February 2014
- Collision of road vehicle and train at Knockaphunta level crossing (XM250), Athlone - Westport line, 8th June 2014

The RAIU published five reports during 2014 into accidents and incidents that they formally investigated:

Iarnród Éireann

- Operating irregularity in the Dundalk-Newry section of the Dublin-Belfast mainline on 23rd March 2013 – published 28th April 2014
- DART passenger doors - wrong side failure of interlock circuits on 10th August 2013 – published 30th July 2014
- Collapse of platform canopy at Cork (Kent) station on 18th December 2013 – published 7th November 2014
- Rockfall that occurred at Waterford (Plunkett) station on 31st December 2013 – published 18th December 2014

LUAS

- Flash fire on LUAS tram approaching Bus Aras stop on 7th November 2013 - published 28th August 2014

Reports of investigations into two incidents that occurred on the Iarnród Éireann network in December 2013, which had been initiated by the RAIU, had not been issued by the end of 2014. These were:

- Signal Passed at Danger (SPAD) at Millstreet, Killarney Junction - Killarney section on 8th December 2013
- Failure of protection equipment at Gortavogher level crossing, Limerick - Athenry line, on 19th December 2013.

2. Functional Performance

This section of the report deals with the performance of the RSC in its three key work streams: Conformity Assessment & Authorisation to Place in Service; Compliance Supervision & Enforcement; and European & Legislative harmonisation

2.1 Conformity Assessment and Authorisation to Place in Service

Activities under this heading comprise two principal strands, conformity assessment of Safety Management Systems (SMS) and Authorisation to Place in Service (APS) new or significantly modified railway infrastructure and rolling stock.

2.1.1 Safety Management Systems (SMS)

Under Regulation (EU) No.1158/2010 Parts A and B Safety Certificates, covering the operation of on track machines (OTMs) over the Iarnród Éireann network, were issued to Balfour Beatty Rail Ireland Limited on 24th February 2014.

Under the same Regulation Parts A and B Safety Certificates for the Railway Preservation Society of Ireland were renewed on 19th December 2014.

In accordance with the provisions of the Railway Safety Act 2005 new Safety Management Certificates were issued to the following Heritage Railways:

- Lartigue Mono Railway, 6th March 2014
- CumannTreanach na Gaeltacht, 16th April 2014
- Diffilin Lake Railway, 28th April 2014
- Waterford & Suir Valley Railway, 1st May 2014
- Irish Steam Preservation Society, 16th May 2014

2.1.2 Authorisation to Place in Service

Infrastructure authorisations on the Iarnród Éireann network during 2014 were:

- Placing in Service of a new overbridge at Garrycastle, Co. Westmeath
- Detailed design stage for five new road over rail bridges – two on the Dublin—Rosslare line, at Ballygullen and Ballynabarny; two on the Limerick—Ennis line, at Ballynanty and Ballygrennan; and a bridge on the Waterford—New Ross line at Ballyverneen

- Detailed design stage for the Dublin City Centre Re-signalling project Phase 3, Tara Street to Sandymount
- Preliminary design stage for Iarnród Éireann Hybrid System (IEHS) for train protection
- A retrospective approval of some elements of manual barrier level crossings
- Concept stage for a technological enhancement that could improve safety at User Worked Level Crossings

The RSC also granted authorisation of the concept stage for the upgrade of Mk 3 carriages and an electric generator van for use in the Belmond Grand Hibernian luxury touring train.

Further details on the status of various authorisations are presented in Appendix 4.

2.1.3 Guidelines

The RSC published the following guidance documents in 2014

RSC-G-032-A Guideline for the Process of Authorisation for Placing in Service Light Railway Sub- Systems

RSC-G-033-A Guideline providing List of Parameters and Requirements for Authorisation for Placing in Service Light Rail Infrastructure, Energy and Command-Control Subsystems.

2.1.4 Train Driver Certification

Iarnród Éireann submitted their final application to be recognised as a Training Centre and Examination Centre in August 2014. Following a review of the application, which was found to meet the requirements set out in RSC-G-025-A, the Statements of Recognition for the Training Centre and Examination Centre were issued on 15th December 2014.

RSC is continuing to progress the project to commence the production and issuing of train driver licences and are aiming to be in a position to begin issuing licences in Q4, 2015.

2. Functional Performance

2.2 Compliance Supervision and Enforcement

The RSC's supervision and enforcement activity is key to ensuring that Railway Organisations not only maintain compliance in the application of their respective Safety Management System, but that they also continuously strive for improvement in safety performance.

The RSC use various sources to assist in targeting its supervision activities and these include:

- Legal requirements for the management of safety;
- Previous RSC supervision activities and outputs from the same;
- RSC's professional judgement;
- Industry safety concerns, typically arising from railway accidents and incidents, both nationally and internationally;
- Complaints and representations by, or on behalf of staff, passengers, or affected parties; and
- Reactive monitoring, including post-incident compliance inspections.

The RSC develops multi-annual and annual supervision plans based on information taken from the above sources; plans include all activities necessary to provide effective oversight of each Railway Organisation. Supervision plans include, supervision meetings, auditing of processes and the Railway Organisation's SMS, undertaking sample asset inspections, and conducting reactive activities such as following up on accidents, incidents, dangerous occurrences, or public and other third party complaints.

2.2.1 Compliance Auditing (Pro-active Supervision)

The RSC completed the following audits during 2014:

Iarnród Éireann-Infrastructure Manager (IÉ-IM)

- Management of OHLE & power distribution maintenance – Audit conducted November 2013
- The maintenance & operation of the Train Control & Signalling system - Audit Conducted February 2014
- A Vertical slice audit of the Chief Civil Engineer's dept. - Audit conducted May 2014
- The Management of On-Track Machines & Road Rail Vehicles in engineering possessions – Audit conducted August 2014

Iarnród Éireann-Railway Undertaking (IÉ-RU)

- The Management of Train Driver Training & Competence – Audit conducted July 2014

Iarnród Éireann (IÉ-IM) & (IÉ-RU)

- Horizontal slice audit: training & competence systems – Audit conducted July 2014

Northern Ireland Railways (NIR)

- Accident Investigation & emergency preparedness – Audit conducted May 2014

Transdev (LUAS)

- Management of Tram Maintenance – Audit conducted July 2014
- The Management of the Overhead Contact System – Audit conducted November 2014

Balfour Beatty Rail Ireland (BBRI)

- The Management of On-Track Machine Driver Training & Competence – Audit conducted October 2014

Waterford & Suir Valley Railway (WSVR)

- Management of Risk – Audit conducted August 2014

Audit Title	Major Non-compliance	Minor Non-compliance	Action Required
Management of OHLE & power distribution maintenance IÉ-IM	0	4	5
Maintenance & operation of Train Control & Signaling system – IÉ-IM	0	2	10
A Vertical slice audit of the Chief Civil Engineer's Dept. – IÉ-IM	1	3	11
The Management of On-Track Machines & Road Rail Vehicles in engineering possessions – IÉ-IM	0	1	7
The Management of Train Driver Training & Competence IÉ-RU	0	3	6
Horizontal slice audit: training & competence systems – IÉ-IM & IÉ-RU	0	1	13
Accident Management and Emergency Preparedness - NIR	0	1	2
Management of Tram Driver Training & Competence - LUAS	0	5	13
Management of Tram Maintenance - LUAS	0	0	4
Management of OTM Driver Training & Competence - BBRI	0	4	5
Management of Railway Risk - WSVR	0	0	3

Audits on the Strategic Management of Safety in the IÉ Infrastructure Manager and Railway Undertaking business units, and on Management of the LUAS Overhead Contact System were commenced in Q4, 2014. Neither was completed before the end of the year, but it is anticipated that both of these audits will be finalised during Q1, 2015.

2. Functional Performance

Each of the audits conducted by the RSC in 2014 produced recommendations to correct audit outcomes that arose from the findings of the audits.

In compliance with Section 76 of the Railway Safety Act, the Railway Organisations to whom the recommendations were addressed have submitted their respective Implementation Plans of corrective actions.

The Implementation Plans have been accepted by the RSC, and each Railway Organisations has already implemented, or is in the process of implementing the agreed corrective actions, the progress of which is being monitored by the RSC.

The implementation of corrective actions is monitored by the RSC on an on-going basis through the regular safety review meetings that are held with railway organisations. A 3-tier status flagging regime is applied in the following manner:

OPEN — Feedback from duty holder is awaited, or actions have not yet been completed;

COMPLETE — Duty holder has advised the RSC that it has taken measures to implement the remedial action and has supplied supporting evidence for the RSC to evaluate if the recommendation can be closed;

CLOSED — Based on evidence supplied by the duty holder, the RSC is satisfied that the necessary remedial measures have been taken and that work has been completed to the extent required to close the recommendation.

Recommendations arising from all Audits conducted in 2014 covered 25 'non-compliance' and 81 'action required' issues. In regard to non-compliance issues, 16 items were closed in 2014 while in the 'action required' category 76 items were closed. Changes that took place during 2014 in the number and status of recommendations arising from audit outcomes are illustrated in the accompanying tables.

Iarnród Éireann

Year	Audit Reports	Audit Outcomes	
		Non-compliance identified	Action Required
2009	3	4	44
2010	5	14	52
2011	8	17	62
2012	7	19	66
2013	6	22	55
Total to 31-12-13	29	76	279
Status at 31-12-13	OPEN	57	202
	COMPLETE	0	3
	CLOSED	19	74
2014 IÉ-IM	4	11	33
2014 IÉ-RU	1	3	6
2014 IM&RU	1	1	13
Total to 31-12-14	35	91	331
Status at 31-12-14	OPEN	56	173
	COMPLETE	0	3
	CLOSED	35	155

LUAS, RPSI, NIR, BBRI

Year	Audit reports	Audit Outcomes	
		Non-compliance identified	Action Required
2009 LUAS	1	0	15
2010 LUAS	1	1	3
2012	LUAS	2	0
	RPSI	1	3
2013	LUAS	1	0
	RPSI	1	0
Total to 31-12-13	7	4	49
Status at 31-12-13	OPEN	4	47
	COMPLETE	0	0
	CLOSED	0	2
2014	LUAS	2	5
	NIR	1	1
	BBRI	1	4
Total to 31-12-14	12	14	73
Status at 31-12-14	OPEN	14	71
	COMPLETE	0	0
	CLOSED	0	2

2. Functional Performance

2.2.2 Post Incident Inspections (Reactive Supervision) to Serious Incidents

The RSC operates an on-call roster whereby an Inspector is always available 24 hours / day, 364 days / year, to respond to an accident or incident notification. In 2014 the RSC received a total 82 calls and mobilised to 11 incidents. The majority of the calls (57) related to the IÉ network, with a further 25 involving the LUAS network.

Other than those incidents where deliberate self-harm was indicated, all incidents notified were investigated further. This typically required site inspections, interviews with railway personnel, and review of safety documentation. In any instance where safety was deemed to be at risk the RSC sought the necessary assurances from the relevant entity that mitigation measures had been put in place.

In addition to cases of apparent self-harm, there were sadly two fatal accidents on the IÉ network in 2014. The first of these occurred at Sallins, County Kildare, when a man who had jumped onto the track to retrieve a dropped item was struck by a train. The second fatal accident occurred at Raheny DART Station, when a visually impaired lady fell from the platform and was struck by a non-stopping train. There were several other incidents that under slightly different conditions could have also resulted in serious consequences, these included:

- Collision of Post Office van and train at Corraun level crossing (XX024), Ballina branch, 7th February 2014*
- A dangerous occurrence involving the over-head line on the DART Network, 2nd April 2014
- Collision of road vehicle and train at Knockaphunta level crossing (XM250), Athlone-Westport line, 8th June 2014*
- Derailment of a DART train south of Bray following collision with rock pushed down from adjacent cliff walk path, 8th July 2014 –
- Operational irregularity at Waterrock level crossing when a train traversed the public road with the barriers in a raised position, 8th October 2014

* These two incidents are subject to on-going investigation by the RAIU to establish cause(s).

2.2.3 Monitoring of Technical Issues

Where certain technical issues emerge, RSC Inspectors may decide to monitor the actions being taken by the relevant railway organisation to address possible safety concerns. Typically, this is through RSC attendance at meetings or risk assessment workshops, and by inspection of assets or operations. In 2014 there were a small number of issues that were subject to such supervision activity, which included:

- o IÉ (both the IM & RU's) Management of Signals Passed at Danger (SPAD)
- o Broken axle identified on Type 401 LUAS Tram
- o Secondary Suspension Plate Crack on a Type 401 LUAS Tram
- o Transdev & Alstom's management of the LUAS overhead contact system following two de-wirements

The RSC will continue to monitor the foregoing issues and any similar matters in order to obtain assurance that relevant railway organisations are managing risks that may arise from time to time.

2.2.4 Inspections

The RSC undertook a number of other inspections of Iarnród Éireann, Transdev (LUAS) and Balfour Beatty Rail Ireland in 2014, which focused on:

- o Railway assets with particular reference to rolling stock, stations, and level crossings
- o Engineering possession management
- o Event Management, Iarnród Éireann, LUAS and the Railway Preservation Society of Ireland
- o Light Rail infrastructure & Trams

In addition, where the occasion permitted, RSC Inspectors took the opportunity to travel in locomotive and railcar cabs to assess operations and the condition of the permanent way.

The RSC also carries out inspections on all operational self-contained heritage railways and a number of such railway organisations were inspected in 2014 with a more detailed audit undertaken on the Waterford & Suir Valley Railway.

2.2.5 Supervision Meetings

As in previous years RSC Inspectors met formally with executives from the various railway organisations to review their ongoing safety performance. This included a thorough review of recent accidents and incidents, a review of safety performance indicators, and a management commitment to continuous improvement.

In addition to frequent safety performance review meetings, the RSC also monitors duty holders' implementation of safety recommendations made in reports issued by the Railway Accident Investigation Unit (RAIU) following their independent 'for cause' investigations.

2.2.6 Industry Concerns

In March 2012 the RSC commissioned GL Noble Denton of London to conduct a review and inquire into circumstances that may inhibit early identification of critical safety information during an investigation of an accident or incident.

Following various delays this review was finally completed, and in December 2013 the RSC appointed the Chairman of the Railway Safety Advisory Council to chair a cross-industry working group to oversee implementation of recommendations made by GL Noble Denton in *Review of circumstances that may inhibit early identification of critical safety information during an investigation of an accident or incident*.

The independent chairperson submitted his report to the RSC in December 2014, and a copy was subsequently forwarded to DTTAS.

2. Functional Performance

The RSC continues to maintain formal and informal contact with its peer regulatory bodies in Europe, North America and Australasia. All accident reports and safety advisory notices received from such peer organisations deemed relevant to the Irish sector were circulated by the RSC.

Serious accidents were once again evident in 2014 on the world railways. Fatal accidents occurred in Russia, France, India, as well as a number in the United States. All such occurrences continue to serve as learning points in the continual effort to improve railway safety in Ireland.

2.2.7 Representations

The RSC always gives a high degree of attention to any representation concerning railway safety made by railway staff, railway passengers, members of the public, or others. Wherever possible, the RSC endeavours to deal with such matters directly. Where necessary the RSC seeks additional information from the railway organisations involved in order to provide a full and comprehensive response.

In 2014, the RSC received 73 representations relating to a range of heavy and light rail infrastructural and operational matters. This represented a small increase on the number received in 2013 (69). Of the 73 representations received in 2014, 69 related to Iarnród Éireann (IÉ) infrastructure or operations with a further 3 pertaining to the LUAS, and just 1 relating to Balfour Beatty Rail Ireland. A small number of these representations did give cause for concern and the RSC acted immediately to ensure that corrective action was taken by the relevant railway organisation.

A number of representations received during the early part of 2014 perpetuated a trend seen at the end of 2013 and related to the levels of crowding on IÉ trains. As a result, IÉ reviewed its fleet allocation patterns and made numerous adjustments to train consists.

The remainder of the representations gave no immediate or specific cause for safety concern, but all representations were investigated and responses issued. RSC continues to track representation topics on an ongoing basis to identify any recurrence or trends that might indicate a need for further attention.

2.2.8 Enforcement activity

Section 7 of the RSA 2005 provides the RSC with a number of enforcement powers, ranging from requesting an Improvement Plan to serving a Prohibition Notice. During 2014 the following enforcement measures were instigated by the RSC:

Section 76 of the RSA 2005 - Improvement Plan requested following:

- o RSC's audit of IÉ's Chief Civil Engineers department
- o RSC's audit of BBRI's Training & competence of OTM & Inspection Car Drivers
- o Dangerous occurrences on the DART network involving Over-Head Line Equipment
- o RSC's audit of IÉ's Maintenance & Operation of the Traffic Control and Signalling System
- o RSC's audit of IÉ's training & competence of Train Drivers
- o RSC's audit of IÉ's Management of OTMs and RRVs in possessions

The RSC did not issue any 'Improvement Notices' nor serve any 'Prohibition Notices' during 2014. However a notification of intent to serve an Improvement Notice was sent to IÉ-IM in relation to a major non-compliance identified during the audit of the Chief Civil Engineers department. In accordance with Section 77 of the Act, IÉ-IM made representations to the RSC. This representation was reviewed by the RSC and it was decided that, given the actions taken by IE-IM and proposed to be taken, a formal improvement notice was not necessary.

2. Functional Performance

2.3 European and Legislative Harmonisation

In 2011, the European Commission expressed concern regarding anomalies between the Railway Safety Act 2005 and the Railway Safety Directive which had not been adequately addressed by transposition. These included significant variances in terms and definitions used in the Act.

In accordance with its duty under Section 72 of the Act, the RSC has provided ongoing and comprehensive technical support to the Department of Transport Tourism & Sport to address this issue.

Following the adoption of the European Union (Railway Safety) Regulations, SI No. 444 of 2013, this work was completed through the adoption of the European Union (Railway Safety)(Reporting and Investigation of Serious Accidents, Accidents and Incidents) Regulations, SI No. 258 of 2014.

The RSC has continued to positively contribute to the ongoing development of the regulatory framework for the European railway sector.

The RISC Committee of the European Commission has responsibility for co-ordinating the implementation of the European Directives which cover railway interoperability and safety. During 2014 the RSC participated as the national representative at all three meetings in 2014.

The RSC is represented on the Management Board of the European Railway Agency (ERA) and on its financial committee. The RSC Commissioner actively serves on the ERA cross-audit committee. RSC staff also actively participate on two ERA working parties; one dealing with safety assessment and supervision, and the other with safety performance.

The RSC was represented at the three plenary meetings of the National Safety Authorities network co-ordinated by ERA, and at two meetings of the International Liaison Group of Governmental Railway Inspectors (ILGGRI).

The UNECE Group of Experts on Safety at Level Crossings (GE.1) was created as a result of an initiative by the UNECE Inland Transport Committee, its Working Parties on Road Traffic Safety, Road Transport and Rail Transport, and commenced its work in January 2014. Its purpose is to describe, assess and better understand the safety issues at the road/rail interface as well as to develop a multi-disciplinary strategic plan aimed at reducing the risk of death and injury at level crossings. The RSC participated as the national representative at all three meetings in 2014.

2.4 International Railway Safety Council

The RSC is a member of the International Railway Safety Council (IRSC) core group and participates at the annual conferences. Following on from IRSC 2013 in Vancouver, at which the RSC Principal Inspector for supervision and enforcement presented the paper *Supervising Safety Management on Ireland's Railways*, the Commissioner and one of the graduate trainees jointly presented the paper *Railway Knowledge – a fundamental for regulation of railway safety* at IRSC 2014 held in Berlin.

2.5 Road Rail interfaces

User-worked road level crossings present a high-risk interface between members of the public and the railway, as responsibility for safe use rests with the road user. In particular, the risk associated with such level crossings on public roads has made them an obvious target for ongoing and systematic risk mitigation and further safety investment.

The RSC chairs the Road Rail Safety Working Group (RRSWG). This group facilitates the sharing of information and opinions on issues of safety at road-rail interfaces among its members, which include - railway undertakings, road authorities, the Gardaí, DTTAS, and road hauliers. There were three meetings of this group during 2014.

The RSC attended the Local Authority Roads Conference held in Ennis on the 20th of May 2014, and a paper on *Road Rail Interface Awareness* was presented by an RSC Inspector.

3. Corporate Governance and Administration

3.1 Introduction

Corporate governance comprises systems and procedures by which enterprises are directed and controlled. In this regard, the RSC has adopted and is compliant with the Code of Practice for the Governance of State bodies, as published by the Department of Finance.

3.2 Finance

Funding for the RSC is provided in part by a Grant from the Department of Transport Tourism & Sport and in part by a safety levy on the various railway organisations. In 2014 the Grant- amounted to €0.821m.

In 2008 the RSC invoked the provision of section 26(1) of the Railway Safety Act 2005. Regulations are made annually to impose a safety levy on each railway organisation, and the regulations for 2014 are contained in Statutory Instrument No.73 of 2014. Application of funds in the past three years is illustrated below:

		2012 (€million)	2013 (€million)	2014 (€million)
Budget	RSC	2.26	1.91	1.99
	RAIU	0.57	0.60	0.40
	Total	2.83	2.51	2.39
Grant-in-Aid	RSC + RAIU	0.89	0.86	0.82
Levy Requirement	RSC	1.94	1.65	1.57
Levy Refund b/f		-0.76	0	0
Levy Order amount		1.18	1.65	1.57
Operating costs	RSC	1.72m	1.90m	2.14*
	RAIU	0.43m	0.62m	0.48*
	Total	2.15m	2.52m	2.62*
Grant-in-Aid application	RSC	0.46m	0.25	0.42
	RAIU	0.43m	0.60	0.40
Levy application	RSC	1.18m	1.65	1.57

* RSC accounts for 2014 are subject to audit by the Comptroller and Auditor General.

3.3 Statement on Internal Financial Control

The RSC acknowledges responsibility for ensuring that an effective system of internal financial control is maintained and operated. The system can provide only reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or would be detected in a timely manner. Maintaining the system of internal financial controls is a continuous process and the system and its effectiveness are kept under ongoing review.

3.3.1 Financial Control Environment

By the end of 2014 the RSC had completed nine full years since its establishment. Processes and procedures to ensure a strong internal control environment are continually reviewed and improved. A number of measures have been identified to assist in creating this environment, and steps have been taken to embed them in the RSC

3. Corporate Governance and Administration

- Clear definition of management responsibilities;
- Establishment of formal procedures for monitoring the activities and safeguard the assets of the organisation;
- Adoption of the principles of corporate governance contained in the Code of Practice for Governance of State Bodies;
- Compliance with Internal Audit requirements to advise the RSC on discharge of its responsibilities for the internal financial control system.

The RSC confirms that all appropriate procedures for financial reporting, internal audit, procurement and asset disposal are being carried out.

3.3.2 Tax Compliance

The RSC is compliant with regard to its tax obligations.

3.3.3 Travel and expenses

The RSC is compliant with all relevant Department of Finance circulars on travel, subsistence and associated expenses.

3.4 Irish Language commitment

The RSC is committed to implementing the relevant parts of the Official Languages Act 2003. RSC signage and stationery are currently in both Irish and English.

3.5 Freedom of Information

The RSC was included among the organisations listed under The Freedom of Information Act 2014. The RSC is committed to conforming to the principles of this Act. In 2014, the RSC did not receive any requests under this Act.

3.6 Customer charter

The Customer Service charter was updated in 2013 and is available on the RSC website. This charter describes the level of service a customer can expect from the RSC. .

3.7 Risk Management

The RSC has a risk management system in place to review key risks to its business.

3.8 Code of Ethics and Business Conduct

A Code of Ethics and Business Conduct is in place for the Commissioner and all staff and it is being adhered to.

3.9 Statement of Strategy 2012-2014

In 2012 the RSC produced their third Statement of Strategy. This document is the triennial Statement of Strategy of the Railway Safety Commission (RSC) for the years 2012 to 2014. Its purpose is to present management, staff, stakeholders, and the public with a clear understanding of the strategic direction that the RSC is adopting to meet its statutory duties and achieve its business objectives. The activities of the Railway Accident Investigation Unit (RAIU) are not covered by this document, as it is planned that the RAIU will be legally separated from the RSC as soon as possible in order to comply with EU requirements.

3.10 Website

The RSC maintains an active website at www.rsc.ie

4. Looking Forward

The task areas that will be the focus of particular attention for the RSC as it continues to deliver on its responsibilities under European and National legislation during 2015 are as follows:

- Continuing co-operation with, and technical support to the DTTAS in the amendment of legislation and development of functions for economic regulation of the railway sector in compliance with Directive 2012/34/EU
- Recruitment on a permanent basis of the number of competent specialists that are required to keep the RSC adequately resourced from 2015 onward
- Further professional development of all RSC staff so as to ensure that adequate railway-specific technical and legal knowledge and skills are available within the organisation
- Engagement with Belmond Ltd for safety authorisation of the Belmond Grand Hibernian tourist train, due in service 2016
- Continued engagement with the Iarnród Éireann Railway Undertaking function for the roll out of ECM certification to all passenger and locomotive fleets
- On-going engagement with the RPA in the assessment of the new works associated with the LUAS Cross-City extension
- Establishment of Regulatory Body, Independent Monitoring Body and Licensing Authority functions and, subject to legal provisions, re-branding of the RSC as the Commission for Railway Regulation (CRR)
- Further development of internal processes and procedures relating to the Quality Management System for the CRR

The objective of all RSC activities during 2015 will be in accord with its mission **“To advance the safety of railways in Ireland through diligent supervision and enforcement.”**



Appendix

Appendix 1: Approvals granted by RSC in 2014

Infrastructure Projects	Project Phase				
	Concept	Prelim Design	Detailed Design	Test & Commission	Service
Athlone – New Overbridge at Garrycastle					√
Ballygullen – Dublin/Rosslare line – New Overbridge		√	√		
Ballygrennan – Limerick/Ennis line – New Overbridge		√	√		
Ballynabarny – Dublin/Rosslare line – New Overbridge		√	√		
Ballynanty – Limerick/Ennis line – New Overbridge		√	√		
Ballyvermeen – Waterford/New Ross line – New Overbridge		√	√		
Dublin City Centre Resignalling – Phase 3			√		
Iarnrod Eireann Hybrid System Train Protection		√			
National Level Crossing System – Safety Validation					√
User Worked Level Crossings – Technical Enhancement	√				

Rolling Stock Projects	Project Phase				
	Concept	Prelim Design	Detailed Design	Test & Commission	Service
Irish Luxury Rail Tours Limited	√				

Appendix

Appendix 2

Overview of Energy Usage in 2014

In 2013, the Railway Safety Commission consumed 180,768 KWh of the energy in our building, Trident House, consisting of:

- 54,032 KWh of electricity;
- 126,736 KWh gas.

Actions Undertaken in 2014

In 2014 the RSC undertook a number of initiatives to improve our energy performance, including:

- Ensuring all equipment is turned off at the end of the day
- Encouraging all staff members to reduce their energy consumption

Actions Planned for 2015

In 2015 the RSC intends to further improve our energy performance by undertaking the following initiatives:

- Maintaining staff awareness of energy consumption and the methods of reduction.
- Continuing to monitor energy consumption and look for new ways to reduce our consumption

It is noted that in the SEAI Annual Report 2014 on Public Sector Energy Efficiency Performance, the RSC has improved its energy efficiency by 23% since its baseline, and are on track for the 2020 target.