



An Coimisiún
Sábháilteachta
Iarnróid

Railway
Safety
Commission

Railway Safety Commission

Statement of Strategy

2009-2011

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1 Foreword

This is the second Statement of Strategy for the Railway Safety Commission (RSC) and has been produced following the Government's decision to amalgamate the Railway Accident Investigation Unit (RAIU) of the Railway Safety Commission with the accident investigation function of other transport modes¹. This approaching change is a major development for the Commission and our future strategies.

This document identifies the strategic direction of the Commission, including the Investigation Unit, for the period 2009 to 2011, providing external stakeholders with a clear guide to our goals and business objectives. In carrying out our responsibilities, we will be guided by this Statement of Strategy.

The Commission regulates those railways that provide public services or that otherwise interface with the public. These include Iarnród Éireann, Veolia who operate the LUAS, and a number of heritage railways throughout the country.

Since our establishment on 1st January 2006 under the Railway Safety Act, 2005, the Commission has approved safety cases, assessed major projects and new rolling stock, investigated issues raised by the public, delivered an independent auditing programme, and worked towards regulatory reform through the adoption of European Directives.

The Commission works proactively with stakeholders to ensure that each meet their statutory obligations with regard to railway safety. We endeavour to provide a fair and balanced regulatory process, commit to the enforcement of regulations and provide clear guidelines for the provision of effective regulation. Our focus is firstly on the promotion of safety. However, enforcement will be deployed where there is clear and evident need to do so. This Statement of Strategy has been developed to enable us to meet these objectives.

It is recognised that Government policies will continue to evolve in response to the financial challenges that lie ahead. The Commission will position itself to respond to these challenges without compromising our mandated independent regulatory oversight. We also aim to be actively involved, so far as our mandate allows, in any changes to the regulatory system for railway safety.

The Commission also recognises that it is essential to enhance productivity with a structure that utilises the teams' extensive experience and with processes that allow us to assess how efficiently we deliver our mandate. Periodic external and internal assessments will continue to allow us to identify improvement opportunities in our organisation.

In conclusion, I look forward to continuing to work with our stakeholders in the continuous improvement of railway safety.

John Welsby
Railway Safety Commissioner

¹ The Budget, Department of Finance, Financial Statement of the Minister for Finance Mr Brian Lenihan, T.D. 14 October 2008

2 Overview

This is the second Statement of Strategy of the Railway Safety Commission. It sets out our direction for the years 2009 to 2011, giving our management, staff and external stakeholders a clear guide to our objectives, outputs and related strategies. Our strategic objectives are framed in the context of our mandate, the external and internal environment, and of how we anticipate, respond to, and influence changes in Government policy.

2.1 Commission's Mission Statement

The Commission will assure, through education, guidance and balanced regulation, the safety of railway services and affected persons. Our mission statement remains unchanged.

2.2 Commission's Mandate

The Commission's mandate is to foster and encourage railway safety, enforce the Railway Safety Act and related legislation, and to investigate and report on incidents. Specifically, this requires the Commission to:

- Assess and accept safety cases and revisions to safety cases
- Undertake safety assessments of new works and new rolling stock
- Publish guidance
- Undertake audits and inspections of railway undertakings
- Investigate and report on railway incidents (RAIU)
- Encourage cooperation between railway undertakings
- Remain informed of changes in policies, objectives resolutions and guidelines of relevant public bodies, including European Union Directives
- Keep under review the provisions of the Railway Safety Act and other relevant legislation
- Consult with stakeholders
- Publish the results of research
- Actively cooperate with the Department of Transport on rail safety matters.

From a European perspective, the Commission also has a mandate to continuously improve railway safety where practicable, giving priority to the prevention of serious accidents (European Railway Safety Directive, Article 4), and to facilitate interoperability.

3 Operating Environment

The following section describes the environment that will give shape to the strategies of the organisation.

3.1 Commission’s Internal Environment

The Commission aims to be responsive, flexible, efficient, cost-effective and innovative. Our structure is aimed at allowing flexibility in the delivery of outputs and able to tackle interconnected cross-public service policy objectives. In recognition of the paper of the task force on the public service report ‘Transforming Public Services²’, the Commission aims to be part of a unified public service workforce and encourage deployment of staff resources effectively and efficiently, moving to areas where there is newer or higher priority work. The current structure of the Commission is shown in figure 3.1.

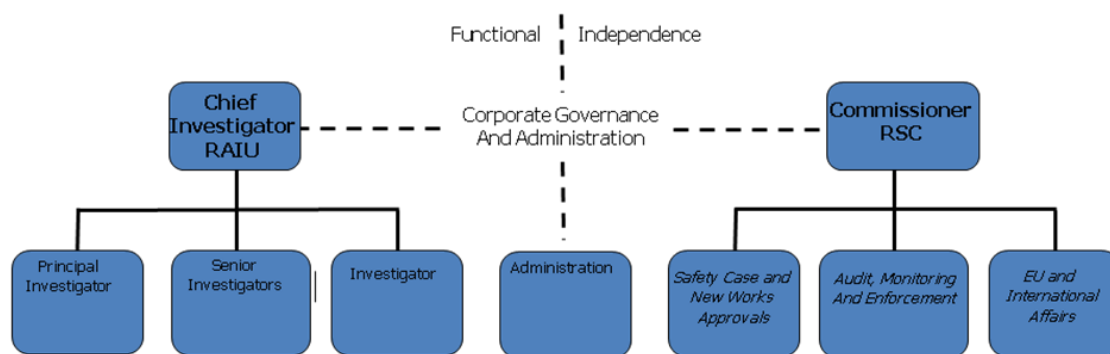


Figure 3.1 – Current RSC/RAIU structure

3.1.1 Corporate Governance

Corporate Governance comprises the systems and procedures by which enterprises are directed and controlled. In this, the Commission is guided by the Code of Practice for the Governance of State bodies, as published by the Department of Finance.

3.1.2 Code of Conduct

We have produced a Code of Business Conduct for both the Commissioner and employees of the Commission. This code includes such matters as the employee’s duty to the State body, avoidance of conflict of interest, limits on outside activities, acceptance of gifts and honesty in dealings. The code is published on our website: www.rsc.ie.

Other internal protocols are developed on an ongoing basis to ensure that there is clarity and consistency in the way in which we conduct our work.

² Transforming public services, citizen centred - performance focused. Report of the task force on the public service – November 2008

3.1.3 Financial Management

We are also charged with being cost-effective and delivering the services of an independent regulator in a fair and accountable manner. Although the Commission's budget is small in absolute terms, we are conscious of the need for continuous improvement in expenditure management.

The Commission is committed to maintaining full transparency and effective controls over our financial management. The accounts are audited each year by the Comptroller and Auditor General, and in addition to this, we also engage an external organisation to conduct a further audit on our processes and procedures.

Funding for the work of the Commission now comes from two sources; Grant-in-Aid from the Department of Transport, and a levy imposed on each of the railway undertakings. The amount of the levy is reviewed annually, and regulations in this regard will be contained in a Statutory Instrument each year.

3.1.4 Risk Management

The Commission conducts a business risk assessment on an annual basis, identifying the key threats to the organisation's reputation and to our strategic, operational and financial interests. We have incorporated a risk management programme as an integral part of our business planning process. We will continue to strengthen existing risk management controls, and implement new controls as necessary. The risk management process will be applied to our strategic objectives.

3.1.5 Irish Language Commitment

The Commission endeavours to implement the relevant parts of the Official Languages Act 2003. Our signage and stationery are currently in both Irish and English.

We will continue to produce our official documents, such as the Annual Report and the Statement of Strategy, in both languages. The Irish language capability of our staff will be maintained so that any queries can be responded to in either English or Irish. We will encourage and facilitate the on-going Irish language training of our staff.

3.1.6 Open Government

The *Freedom of Information Act, 1997*, and the *Freedom of Information (Amendment) Act, 2003*, asserts the rights of members of the public to obtain access to official information to the greatest extent possible, consistent with the public interest, and the right to privacy of individuals.

The Commission works to maintain and develop an open culture and a transparent environment, where information is freely available and experience and knowledge is shared. We are committed to fostering and developing these conditions, which we see as essential to the effective regulation of safety.

The former Railway Inspectorate division, our forerunner under the aegis of the Department of Transport, was subject to the Freedom of Information Act. It is expected that the Commission will be included among the organisations governed by this Act by mid 2009. In the meantime, we are committed to conforming to the principles of this Act.

3.1.7 Effective Regulation

The Commission aspires to promote the principles of good regulation internally. Our aim is to ensure that, whenever regulation is justified, it is prepared in a fully transparent way which maximises public and stakeholder participation in its formulation. We also seek to ensure that it is clear, objective, reasonable,

enforceable, has no detrimental effects, and is reviewed regularly. The Commission is also charged with publishing technical rules to meet the requirements of an EU Directive.

3.1.8 Organisational Planning

The Commission's Staff prepare business plans and develop strategies, which are regularly reviewed. This ensures that progress remains on track, risks are appropriately managed, and corrective actions are taken as necessary. Where possible, Commission targets are benchmarked against comparable organisations.

3.1.9 Continuous Professional Development

The Commission is a knowledge intensive organisation, and our ability to achieve our goals and objectives is determined by the calibre of our staff. Continuous learning is a core organisational requirement, essential to our maintaining the capacity to meet our work demands in a constantly developing and evolving industry.

In this context, we foster an organisational culture which values our staff and seeks to develop their potential through continuous learning. We will continue to invest in their knowledge and skills, which will in turn add value to our work.

3.2 Domestic Environment

3.2.1 Stakeholders

Domestic stakeholders can be viewed as belonging to five main functional groups, namely: railway undertakings; other regulators; other agencies; the general public, and those whose activity can otherwise affect railway safety.

3.2.2 Railway Undertakings

Currently, the railway undertakings consist of the following:

- Iarnród Éireann (railway operator and infrastructure manager);
- Other operators on the IÉ network, e.g., NIR-Translink, RPSI;
- The Dublin light railway operator and infrastructure manager, Veolia;
- Eight heritage railways operating on their own infrastructure;
- Bord na Mona (industrial railway interfacing with public roadways).

The current safety certification process is based on the Railway Safety Act 2005. It is recognised that this process needs further development to meet the intent of European law, and in particular to differentiate the various duty-holders within railway undertakings on the national network.

3.2.3 Government Agencies

The Commission maintains high-level liaison with the Department of Transport and other Departments and with State agencies concerned with safety and security, including the Department of the Environment, the Health and Safety Authority, the National Roads Authority, the emergency services, the coroner services and An Garda Síochána. The Commission is currently working with the Railway Procurement Agency to deliver expansion of the public transport system. Within the timeframe of this current strategy it is likely we would also interface with the Dublin Transport Authority and any proposed national authority.

3.2.3.1 Railway Safety Advisory Council

Under the terms of the Railway Safety Act 2005, the Minister of Transport established a Railway Safety Advisory Council to represent the various stakeholder organisations and groups. The Council is an independent body and may make recommendations to the Minister or the Commission on various railway safety matters. The Commissioner may attend council meetings in an advisory capacity. The Commission is strongly committed to this body and appreciates the value it adds to rail safety.

3.2.4 Safety at Road-Rail Interfaces

The risk associated with Road – Rail interfaces is recognised as an area requiring specific attention. As well as investigating accidents, inspecting level crossings and bridges and undertaking research, the Commission also chairs the Road Rail Safety Working Group. This is an advisory group representative of the main stakeholders in road, rail and the emergency services. The Road-Rail Safety Working Group:

- Advises and encourages each body represented and raises their awareness of safety issues.
- Exchanges information regarding safety in Ireland and overseas.
- Discusses the main risk factors which lead to accidents.
- Facilitates good communication and cooperation between the agencies involved.

3.2.5 Infrastructure Investment

Transport 21 is the capital investment framework through which the transport system in Ireland will be developed, over the period 2006 to 2015. This framework *'will address the twin challenges of past investment backlogs and continuing growth in transport demand'*³. The Commission recognises the need to develop and maintain strategies to ensure this unprecedented level of capital investment is delivered safely. The need for specific strategies is recognised for the Transport 21 goals of expanding capacity and improving regional services.

The Commission is also attentive to the aims of the National Development Plan 2009-2011. Infrastructure development is critical to Ireland's economic future and improving the quality of life in this country. Investment in the coming years has been identified in the areas of train and tram networks and the Commission will position itself accordingly.

Projects that the Commission will be involved in approving in accordance with the Railway Safety Act include:

- Extensions to the Luas tram network
- Metro North
- Underground Dart
- Clonsilla to Pace Extension
- Dart Interconnector
- Navan Railway
- Ennis – Athenry reopening
- Re-Signalling Projects
- New Intercity Railcars
- Kildare Route Project
- Automatic Ticket Checking projects
- Level Crossings
- Bridge approvals
- Delivery of the Railway Safety Programme

³ Transport 21 (2009) [Internet] Ireland, Available from:<<http://www.transport21.ie>> [Accessed 15May 2009]

3.3 International Environment

3.3.1 Northern Ireland and Great Britain

The restoration of devolved institutions in Northern Ireland in May 2007 provided the context for the Government to pursue a wide range of North/South initiatives and proposals. The Irish Government has invested in projects designed to deliver practical benefits to people on all parts of the island and has committed to working closely with the Northern Ireland Executive to agree joint initiatives. The Government has indicated that it will bring forward revised and new strategies over the period ahead which the Commission must be in a position to respond to. Accordingly, the Commission is committed to work with the Department of Transport and with the Department of Regional Development Northern Ireland to assure the safety of cross-border services and to foster cooperation on interoperability and harmonisation of standards.

Although the networks North and South are very similar, there are differences in legislation, practices, specifications, equipment and infrastructure that must be addressed to promote the interoperability of trains. The Commission liaises closely with the relevant authorities in Britain and Northern Ireland on these matters. It is a joint strategic objective to minimise the impact of these differences by taking a common approach in these areas. This work depends on the active and willing participation of the railway operators, the equipment providers and maintainers and the infrastructure managers in both jurisdictions.

3.3.2 European Affairs

The goal of the European harmonised approach to the regulation of railways is to promote more efficient trans-national operation of trains, to open up the market and to encourage mobility of labour. This is driven by the Directives on railway interoperability and safety, the licensing of train drivers and certification of maintenance providers. Although Ireland is geographically isolated from Britain and continental Europe, we are still governed by these Directives and by the spirit that drives them.

This new approach is leading to greater formalisation of the Commission's role, including certification and licensing of key entities and individuals, the production and maintenance of various registers, and the publication of reports, thus placing an additional demand on our resources.

Since seamless interoperability of trains is difficult to achieve, current emphasis is being placed on the cross-acceptance of rolling stock operating between Member States. The international border with Northern Ireland makes this particularly relevant to our situation.

The organisation and development of the Commission, and a significant share of its workload, is driven by the European agenda. In the European context, we are a small safety authority overseeing a small national railway network. However, as an involved party, we must influence legislative developments through direct and judicious involvement. We participate actively at working groups and policy meetings at European Railway Agency and, in association with the Department of Transport, at European Commission level. We will continue to work with the national railway industry to optimise the scope and implementation of new legal requirements.

3.3.3 International Affairs

The Commission has been an active participant in the International Liaison Group of Government Railway Inspectors (ILGGRI) since it was established in 1997. ILGGRI provides an informal forum for the exchange of information and experience between European railway safety regulators.

We maintain active liaisons with a number of other informal international railway regulatory groups that have similar objectives. These include the European Level Crossing Research Forum, and European safety thematic networks. The Commission also maintains its international contacts by participating in relevant international conferences and by visiting systems and regulators in other countries as the opportunity arises.

4 Strategic Objectives and Priorities

The structure of the statement of strategy is defined in Section 29 of the Railway Safety Act 2005. The Commission's Key Objectives in the period 2009 to 2011 are to:

- i. Provide an assurance of safety
- ii. Identify opportunities for improvement in safety
- iii. Advance safety behaviours
- iv. Enhance the competence and capacity of staff

For each key objective we have stated the strategies that will be followed, the specific outputs of the Commission in delivering the strategies, and the resources that will be required. This is shown in table 4.1.

The strategies listed have been developed alongside our Human Resource strategy and budget. While it is recognised that external factors may impact on resources, programmes will be developed to deliver the statement of strategy outputs, based on our judgement of priorities. Further details of the functions and structure of the Commission that will deliver these outputs may be found in our Annual Plan that is published on our website: www.rsc.ie.

It is noted that the specific impact of this statement of strategy in absolute term, such as accidents avoided, has not been defined. The strategy has been developed to meet the requirement of the European Railway Safety Directive in continuously improving railway safety where practicable, and giving priority to the prevention of serious accidents. Risk modelling work being undertaken by the industry that targets safety improvements and predicts safety outcomes is of specific interest to the Commission and we intend to be active in the analysis and use of its outputs. The Commission also intends to implement strategies over the next three years to improve our processes in identifying problems and ensuring the industry addresses them.

Article 4 of the European Railway Safety Directive states that there is a need to give priority to preventing serious accidents. This statement of strategy recognises the importance of management of key interfaces, both those between organisations and physical interfaces such as level crossings.

The Commission also recognises that there is a delay between regulatory action and the impact on rail safety. This has resulted in the development of strategies that help contribute to a stable regulatory environment.

With rail projects typically having long lead times, we will continue to work with industry in ensuring that adequate consideration of safety is given in the initial stages of projects, and that safety approval processes are as efficient as practicable. In meeting these challenges, the rail industry will be increasingly affected by European and other international developments. We seek to develop a strategy whereby industry can benefit from innovation and standardisation, but will also attempt to influence the European rail agenda where necessary.

Key Objective	Strategy	Output	Resource
<i>i) Assurance of Safety</i>	<i>To implement a comprehensive audit and monitoring programme</i>	<i>An expansion of scope and technical disciplines as well as an increased frequency of monitoring activity.</i>	<i>Audit and Monitoring Function (RSC)</i>
<i>ii) Identify opportunities for improvement in safety</i>	<i>Develop data strategy</i>	<i>Production of harmonised safety statistics and trend analysis. Production of periodic railway safety statistical report.</i>	<i>Audit and Monitoring (RSC)</i>
	<i>Development of multimodal investigation body</i>	<i>Engage in the process to establish an integrated transport investigation body, which would integrate the functions of the three existing bodies, Railway Accident Investigation Unit, Air Accident Investigation Unit and the Marine Casualty Investigation Board. It is currently envisaged that the necessary underpinning legislation will be put in place in 2010.</i>	<i>RAIU</i>
	<i>Utilise opportunities to share knowledge with duty holders and peer organisations</i>	<i>Strengthen current links with peer organisations and identify new knowledge bases that would benefit the Commission. Participate in forums at national and international level.</i>	<i>All Staff RSC and RAIU</i>
	<i>Seek continual improvement in National Safety Regulation</i>	<i>Undertake review of Railway Safety Act, 2005, and provide comments to Department of Transport and other stakeholders on potential areas for improvement.</i>	<i>All Staff RSC and RAIU</i>
	<i>Efficiency improvement in current processes</i>	<i>External review of Commission, RAIU and stakeholders. Review and update processes for safety certification and safety authorisation.</i>	<i>Commissioner and Chief Investigator New Work Approvals (RSC)</i>
	<i>Encourage targeted safety investment in infrastructure and systems</i>	<i>Monitor safety investment programme.</i>	<i>Commissioner</i>

Table 4.1 – Key objectives, strategies and outputs

<i>iii) Advancing Safety Behaviours</i>	<i>Promote railway safety</i>	<i>Enhancement of Commission's website.</i>	<i>Business Manager (RSC)</i>
	<i>Harmonise railway regulatory processes in line with EU requirements</i>	<p><i>Introduction of registers for national safety and technical rules, vehicles, infrastructure, safety certification, maintenance entities and train driver licenses.</i></p> <p><i>Respond to ERA questionnaires.</i></p> <p><i>Engage in the regulatory development process with ERA and DG-TREN.</i></p> <p><i>Hosting of registers.</i></p> <p><i>Meeting annual reporting requirements to Minister and to ERA.</i></p>	<p><i>Regulatory & International Affairs (RSC)</i></p> <p><i>New Work Approvals (RSC)</i></p> <p><i>Commissioner, Chief Investigator, New Work Approvals (RSC) Audit and Monitoring (RSC).</i></p>
<i>iv) Enhance the competence and capacity of staff</i>	<i>Develop staff in line with the business needs of the Commission</i>	<i>Produce competency matrix and undertake annual review of staff to identify additional training opportunities.</i>	<i>Commissioner, Chief Investigator, All Staff RSC and RAIU</i>
	<i>Enhance Reporting efficiency</i>	<i>Review the Commission's reporting requirements with the aim of maximising efficiency and compliance.</i>	<i>Commissioner</i>

Table 4.1 – continued

5 Measuring Progress

*Delivering Better Government*⁴ sets out a vision of a Civil Service focused on results, delivering the highest quality services and responsive to the changing needs of Government and citizens. The framework the Commission employs to achieve this vision includes a strategic approach to business planning, financial management development, and a focus on outputs and results at individual, team and organisational level. Our Annual Reports will make clear what benefits are derived from the resources we use, and whether these benefits are contributing to progress.

As well as the measurement mechanisms outlined above, the Commission is made accountable for its outcomes via a range of other channels. These include:

- The media
- Regulatory and oversight bodies (e.g. the Ombudsman, the Standards in Public Office Commission, the Comptroller and Auditor General)
- Evaluation by academic and other non-governmental institutions, and groups in civil society, trade and industry bodies, commentators etc.
- Staff and their representatives
- Internal and external audit
- Customers/citizens through freedom of information and other democratic machinery
- Annual reporting of progress against customer charter targets.

These ensure continuous and close scrutiny of the Commission's work at all levels.

⁴ Delivering better government. Second Report to Government of the Co-ordinating Group of Secretaries - A Programme of Change for the Irish Civil Service - May 1996