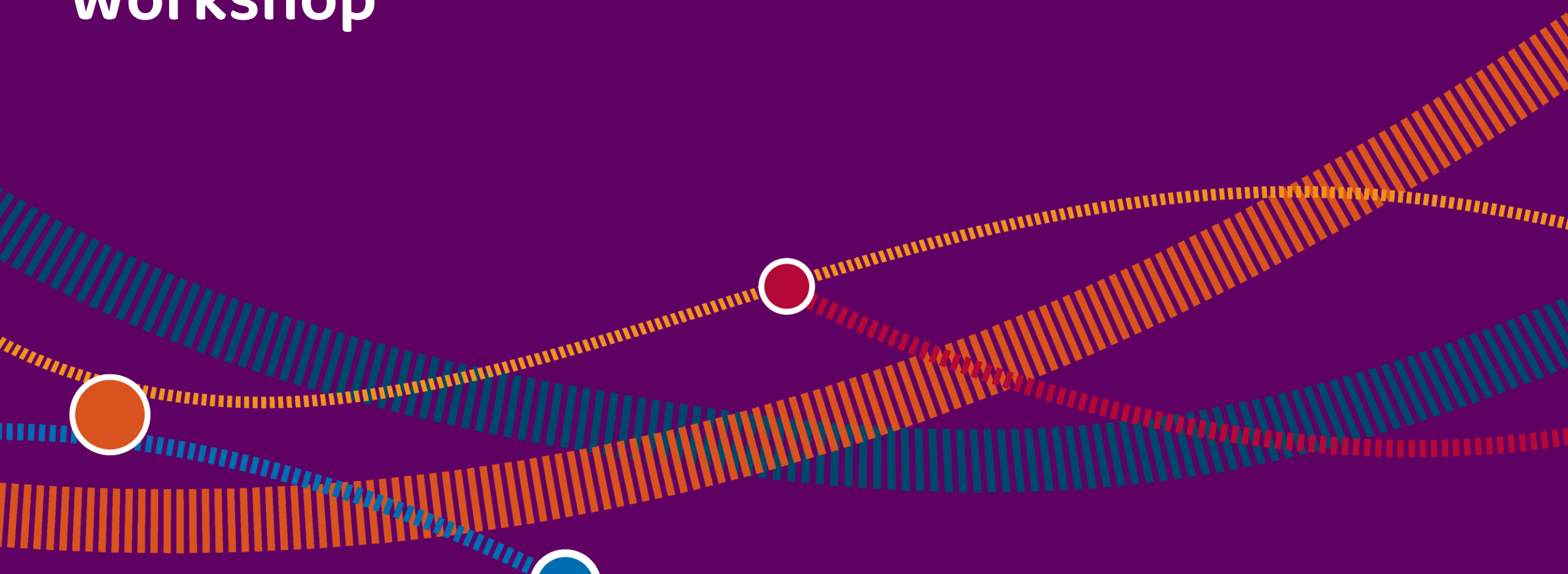
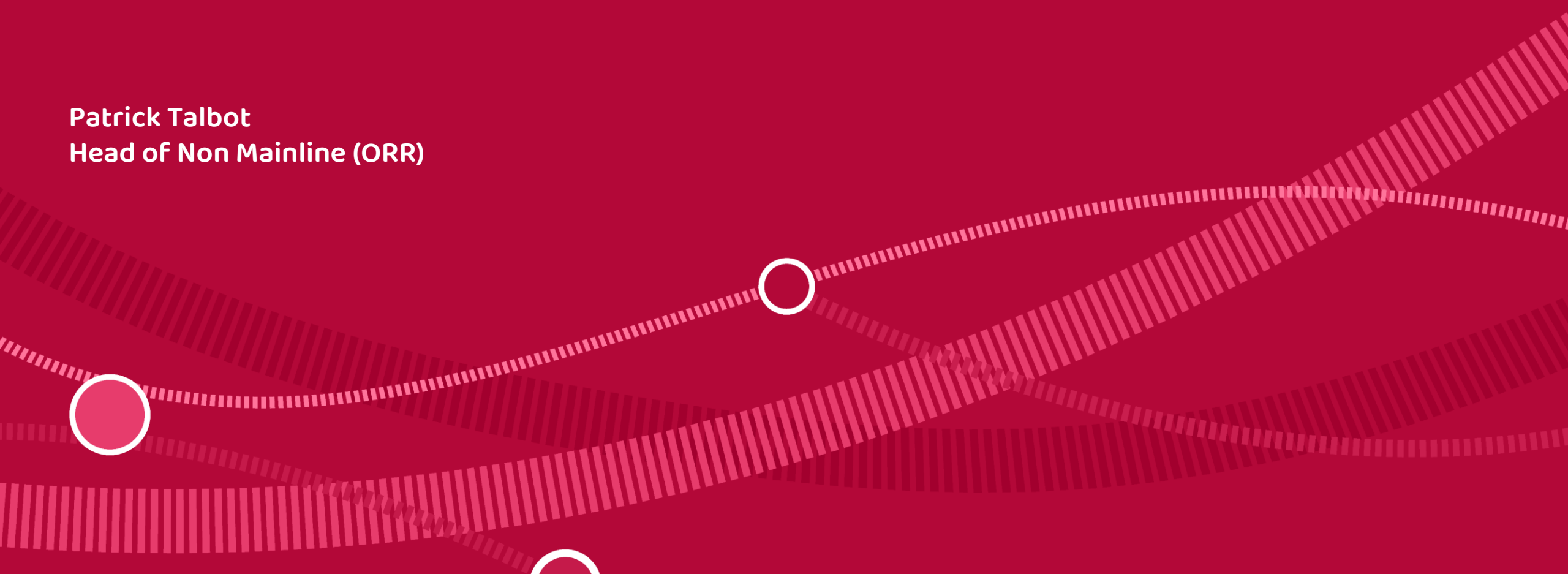


# Risk Management Maturity Model (RM3-H) Workshop



# Welcome and Introductions

Patrick Talbot  
Head of Non Mainline (ORR)



# Welcome

- Practicalities
  - Toilets
  - Fire Alarm/ Evacuation
  - Mobile Phones
- ORR Team
- Discussions– there are lots of opportunities to ask questions!





# Why are we here?





# Why are we here?

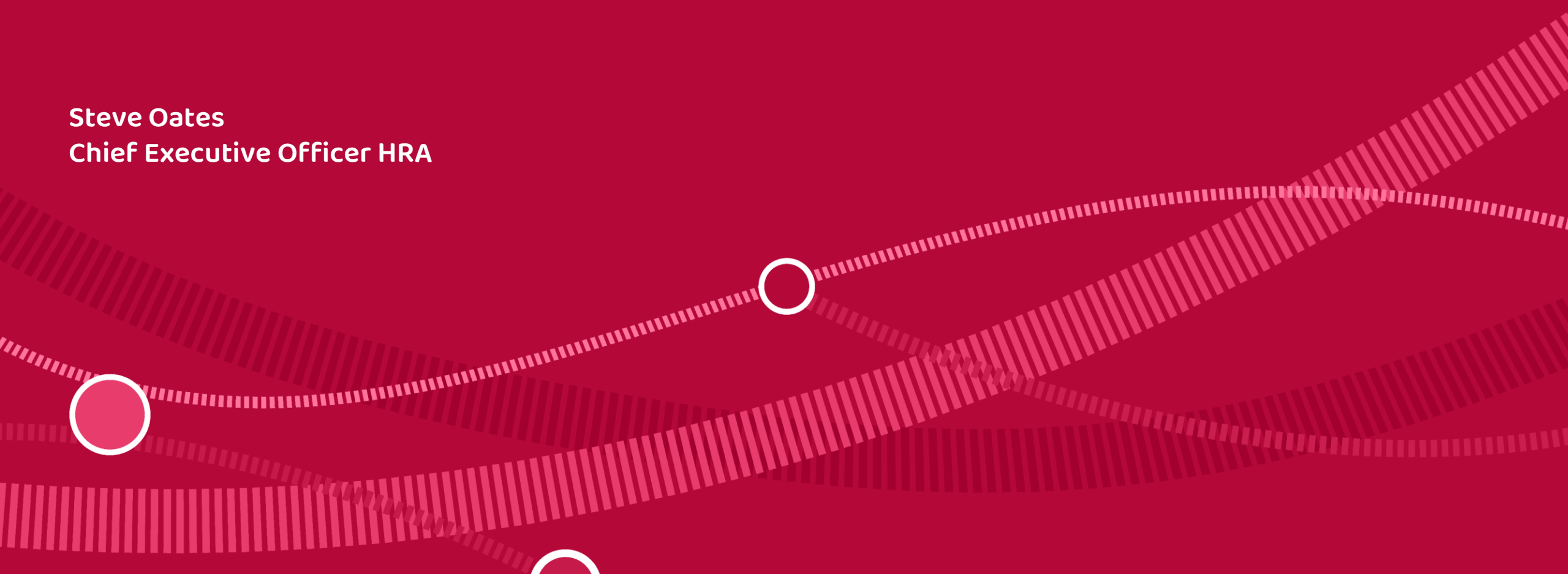
- Safety Management Systems – The cornerstone of effective risk management...
- Governance – essential
- But... we continue to see examples of safety management arrangements that are inadequate or lacking
- ORR Aim – Industry excellence
  - Health and Safety Management Maturity
  - Risk Control
  - Asset Management
- Risk Management Maturity Model

# Agenda

Time	Subject	Speaker
1000-1015	Welcome and Introductions	Patrick Talbot (ORR)
1015-1030	RM3 HRA	Steve Oates (HRA)
1030-1130	Operational Update Working at Height	Simon Barber (ORR) Simon Smith (ORR)
1130-1145	Break / Networking	
1145-1230	Safety Management Systems (SMS) Board Governance	Mark Griffiths (ORR) Steve Oates (HRA)
1230-1315	Lunch / Networking	
1315-1340	RM3-H	Mark Griffiths (ORR)
1340-1400	RM3-H Case Study	Nick Dunn (DSRRB)
1400-1500	RM3-H Exercise	Patrick Talbot (ORR) Simon Barber (ORR)
1500-1530	RM3-H Exercise Feedback and Discussion	All
1530-1545	Closing Remarks	Patrick Talbot (ORR)

# RM3 and Heritage Railways

Steve Oates  
Chief Executive Officer HRA







## Heritage Railway Association

RM3 Seminars – December 22 to March 23

Steve Oates, Chief Executive

# The Heritage Rail sector ...



- ✓ £600m economic impact - An important component of the tourism industry, generating local, national and international value to the UK visitor economy
- ✓ Protects, conserves and brings to life part of the nation's cultural heritage bringing enjoyment and learning to many
- ✓ Operates passenger trains running through 'green corridors' in largely rural areas, enabling car-free access to the countryside
- ✓ Preserves and operates national icons used to promote the UK
- ✓ Covers substantial asset values
- ✓ Provides significant social, community and wellbeing benefits to employees, volunteers and visitors
- ✓ Creates jobs, apprenticeships and training opportunities, and greatly supports local and regional supply economies

# The Heritage Railway Association represents

- 173 working railways
- 9 operational tramways
- 8 cliff railways
- 24 museums and steam centres many of which operate trains on selected days
- 25 commercial partners
- C. 65 societies, funding groups, and locomotive and carriage owning trusts
- 22,000 volunteers
- 4,000 paid employees

## **Our members own or operate:**

- 600 miles of track
- 460 stations
- 800 steam locomotives
- 1,000 diesel locomotives
- 2,000 carriages
- 4,000 wagons

## **Our impact on the UK economy**

- 4,000 employees
- £600m economic value
- 13 million visitors who take 18.6 million passenger journeys covering 130 million passenger miles





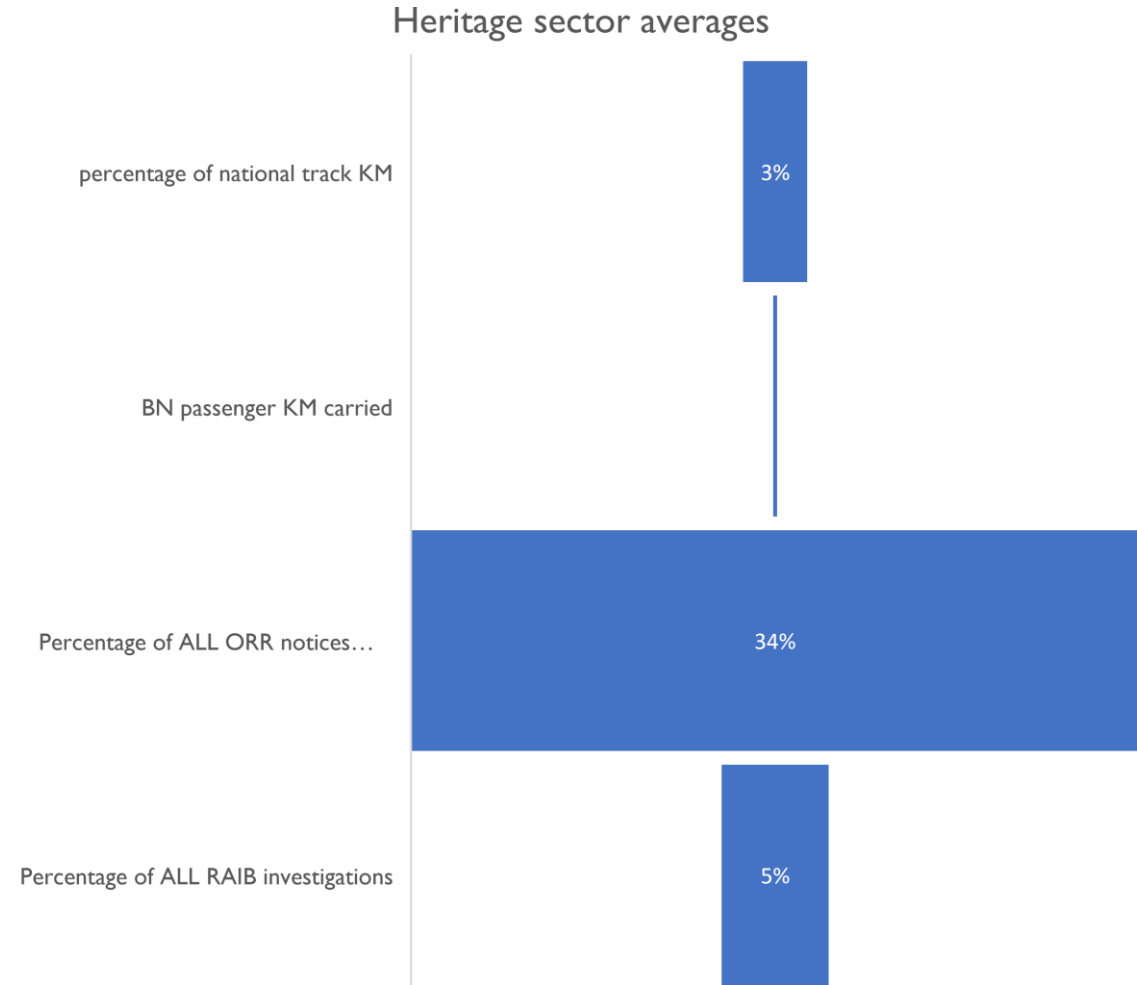
# Heritage Rail is important ... but how do we match-up to the bigger picture?

- How many billion passenger kms does the heritage sector run?
- What percentage of the UK track network does the heritage sector operate?
- What percentage of ORR enforcement action does the heritage sector receive on average?
- What percentage of ORR enforcement action has the heritage sector received in 2022?



# The brutal truth ... 10 year average

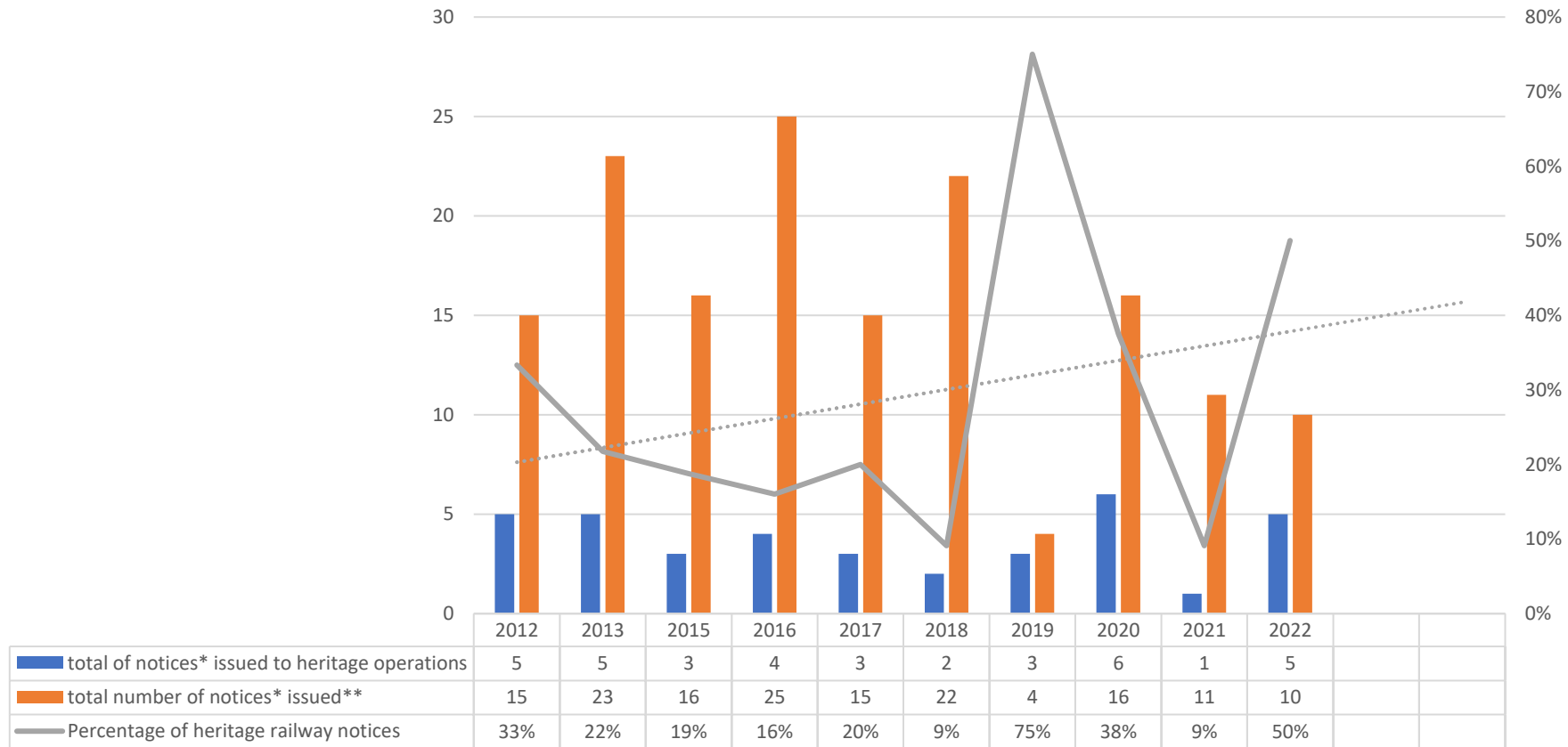
- 3% of all UK national track km
- 0.002bn passenger km carried versus 49.8bn on the national network
- 34% of ALL ORR enforcement action during last 10 years
- 5% of all RAIB reports



# Breaking this down (10 year average 2012-2022)

## All ORR action

Notices issued by ORR 2012 - 2022



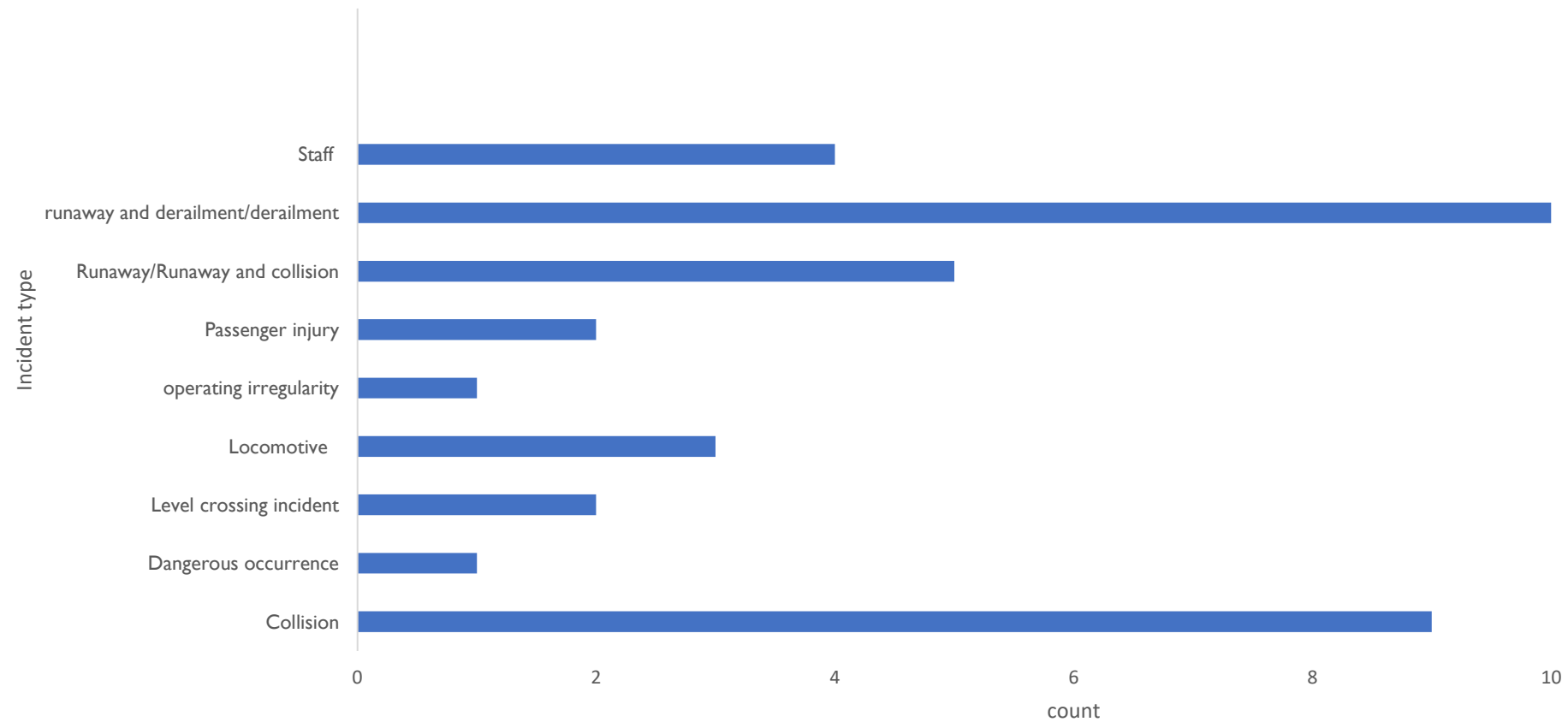
■ total of notices\* issued to heritage operations   
 ■ total number of notices\* issued\*\*  
— Percentage of heritage railway notices   
 ⋯ Linear (Percentage of heritage railway notices)



# Breaking this down (2005 – 2022)

## RAIB report details

Count of RAIB report types on heritage railways 2005 - 2022



# Some questions ...

- Why are these factors so prevalent?
- Do our systems, processes and competence management systems recognise the fallibility of people?
- Are our medical standards adequate?
- Are our assessments adequate?
- How many railways assess cognitive performance as it declines with age and therefore increases operational risk?
- Who thinks their railway needs to improve safety?
- Who believes their railway knows what its top 10 operational risk areas are?
- Is the management of every heritage railway fit for purpose?
- Who thinks their railway has people who don't know they hold a 'go to jail' card?

# What is the sector doing?

- Recognition within the HRA that this cannot continue
- Recognition within the ORR that this cannot continue
- Reinvigoration of the HRA Operating & Safety group
- Formalisation of informal networks
- Information and training
- Developing standards and guidance

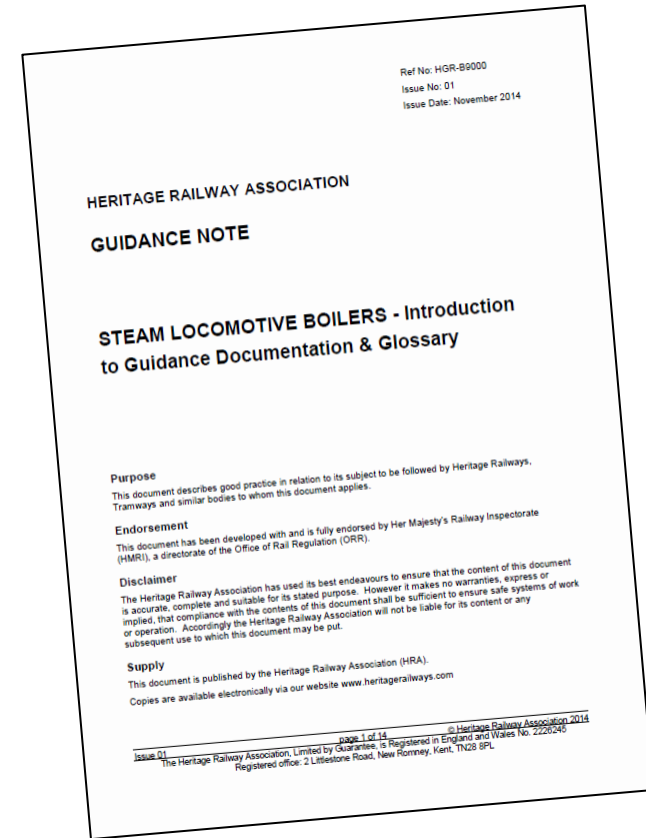




# Developing and maintaining guidance ...

Recent revised and new guidance documents include:

- Workshop Health & Safety Guidance
- Work at Height
- Level Crossing Sighting Distances
- Planning & Permitted Development
- Daily Fitness to Run Examinations
- Safety Management Systems
- PTS
- Special Events
- Grievance & Disciplinary Procedure
- Risk Assessment
- Road Vehicle Incursions
- Volunteers – How to Avoid Them Inadvertently Becoming Employees or Workers
- Working with Young Volunteers
- Third party compliance with HRA members' SMS and insurance requirements



# Developing and maintaining standards ...

Including:

- Reviewing and updating RSP5
- Maintenance of RSP7
- Boiler Code of Practice
- Carriages
- Infrastructure

Heritage Rail Safety & Standards Board

- Planned and scoped
- Liaison with ORR
- Submission to government



# Challenges ahead for heritage railways ...

in a post-Brexit, post COP26/27 and post-Covid world

- **Safety Performance** – Running a safe railway in a heritage environment
- **Maturity of the Heritage Railway sector** – Heritage railways reputation can be damaged by incidents on other railways
- **Business Model** – The fare box and secondary spend is not enough to provide cash for sustaining the railway and investing in improvements – must be supplemented by Giving and other commercial opportunities
- **Commercial development** – Exploiting the heritage brand! Marrying commercial realities of running a business with a hobby/passion for the volunteers
- **Fuels** – Coal, diesel, biofuels and sustaining our ability to run trains
- **Environmental** – Not just CO2 ... It's more about pollutants
- **Strategic planning** – Offering more than 'just a train ride' ... and the importance of having multiple organisations under the umbrella having a shared future and vision
- **Skills** – Heritage skills for the future and their preservation
- **Governance** – Protecting our heritage while preparing our railways for the future. Boards have to provide a mix of skills with a strong Senior Management Team
- **People** – Encouraging diversity, promoting wellbeing and developing young people



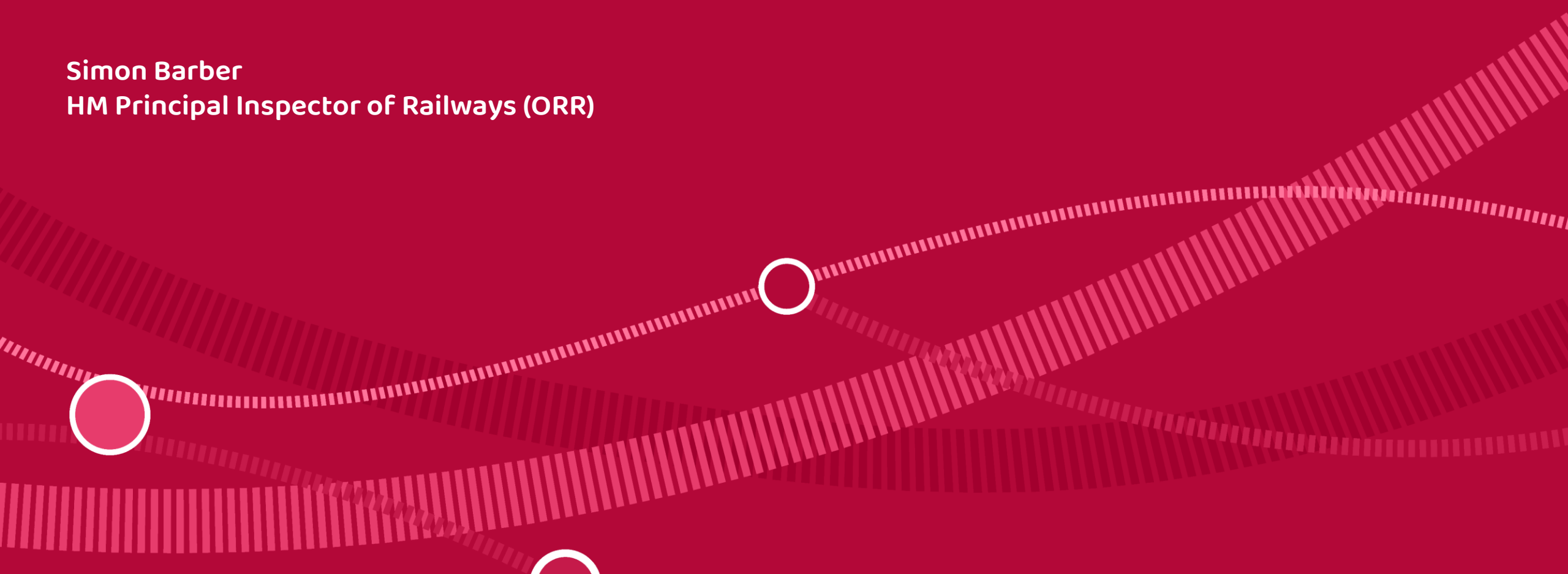


# Heritage Railway Association

Steve Oates. Chief Executive

# Operational Update

Simon Barber  
HM Principal Inspector of Railways (ORR)





# Overview

- **My First Impressions of Safety in the Heritage Sector**
- **Observations**
- **Key areas of Focus for ORR**
- **ORR Assessment of Heritage Railways using RM3**

# My First Impressions of Safety in the Heritage Sector

- **Passionate People – Both a blessing and a curse...**
- **Often Innovators – often positive but occasionally negative safety implications.**
- **Reliance on skills/knowledge of volunteers – some railways may have a blindspot topic.**
- **Opportunities for better sharing of information and learning e.g. incidents, internal RM3 assessments.**
- **There's not always an easy answer!**



# Observations

- **Vehicle Runaways** – 7 reported events in 2022 – 2 led to enforcement action. Weaknesses in application of brake by driver and competence management are the most common factors.
- **Work at Height** – 5 reported falls from height since June 2022 resulting in a volunteer/worker requiring hospital treatment.
- **Management of Civil Engineering Assets** – A lot of ageing assets – do railways have the competency and processes in place to manage this risk?



# ORR Focus

- Investigation of appropriate incidents.
- **General Inspections:**
  - Competence Management
  - Maintenance (P-Way, structures, traction & rolling stock)
  - Level Crossings
  - Workshops
  - Work at Height
- Inspection of the Management of Civil Engineering Asset – inspecting a sample of railways with aim of identifying sector-wide maturity.

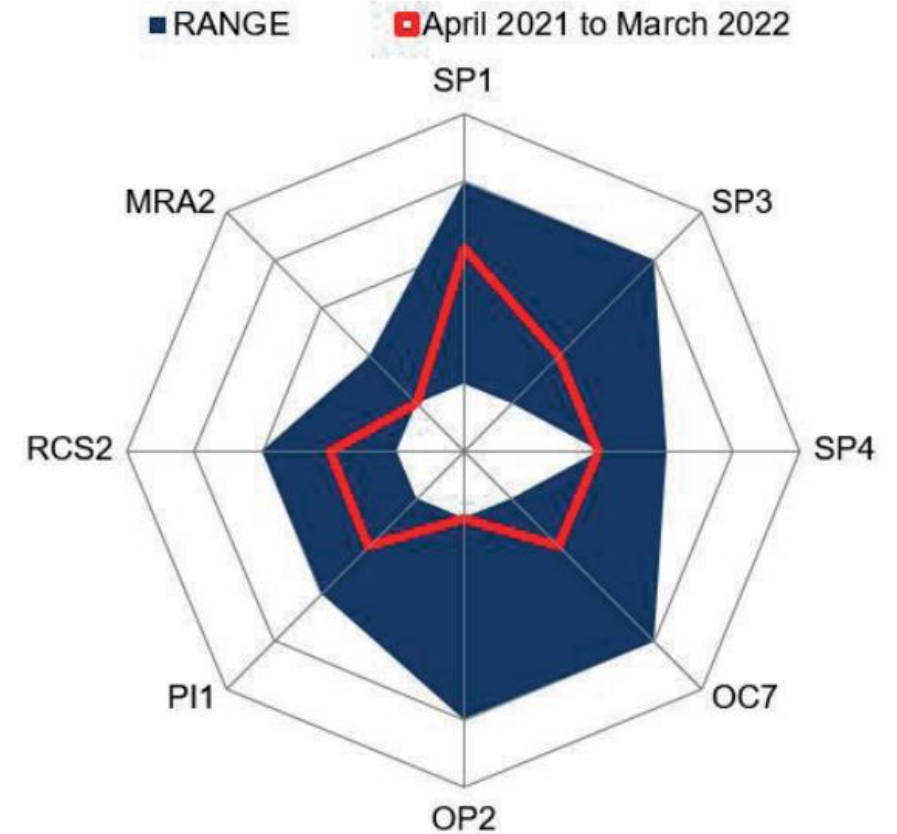
# ORR Assessment of Heritage Railways using RM3

1. **Dutyholder** Inspection Reports include RM3 assessments for relevant criteria:
  - Helps demonstrate strengths and weaknesses of a safety management system and areas for continual improvement.
  - Only assess where there is sufficient evidence to make an assessment.
2. RM3 assessments made each year across the **Heritage Railway Sector** are used to produce an anonymised sector assessment.
  - Helps identify sector-wide issues and enable ORR to plan future work.



# Assessment of Heritage Railways using RM3

Code	Description	April 2021 to March 2022 score	Minimum score	Maximum score
SP1	Leadership	3	1	4
SP3	Board governance	2	1	4
SP4	Written safety management system	2	2	3
OC7	Record keeping	2	1	4
OP2	Competence management system	1	1	4
PI1	Risk assessment and management	2	1	3
RCS2	Asset management (including safe design of plant)	2	1	3
MRA2	Audit	1	1	2



# Working at Height



**Simon Smith**  
**HM Inspector of Railways**



## What we'll cover

The law on working at height – does it even apply to volunteers?

What is a relevant “height”

What's been going wrong

What railways need to do to ‘get things right’

# The Work at Height Regulations 2005

The Work at Height Regulations are made under the Health and Safety at Work Act 1974

“Very interesting Simon, but we’re volunteers engaged in a leisure activity - surely, its up to us if we’re prepared to accept a risk of falling off things and hurting ourselves?”

The short answer is..

No!

The Regulations make no allowances for a volunteer to ‘accept’ unsafe work at height or to waive their right to protection



# Work at Height Regulations 2005

Reg 3(3)(b) The requirements imposed by these regulations on an employer shall also apply to any person in control of work at height

We say..

- Heritage railways are transport undertakings
- Volunteers are workers
- Wholly-volunteer organisations are therefore a “person in control” and subject to the regulations if volunteers work at height on behalf of the transport undertaking (effectively, on its premises, or otherwise in relation to the undertaking)
- Furthermore, note that volunteers may be considered to be “vulnerable persons” in the eyes of the law

# Work at Height Regulations 2005

Above what height do the regulations apply?

- 3.5 metres?
- 2.5 metres?
- 1.5 metres?
- 0.5 metres?

# Work at Height Regulations 2005

There is no minimum height!

The regulations apply to work at any height where a person could fall a distance liable to cause personal injury

# What's been going wrong?

Numerous non-compliances, resulting in serious injuries to personnel falling from...

- Carriage roofs, working with no edge protection or personal fall prevention system (fall arrest systems unlikely to be effective in these circumstances)
- Inappropriately constructed scaffolding (mismatched components brought onto site by well-meaning individuals and poorly erected)
- A working platform, that had not been maintained
- Ladders, in very poor condition or not used correctly
- A locomotive, during preparation over an open inspection pit



# Carriage roof work



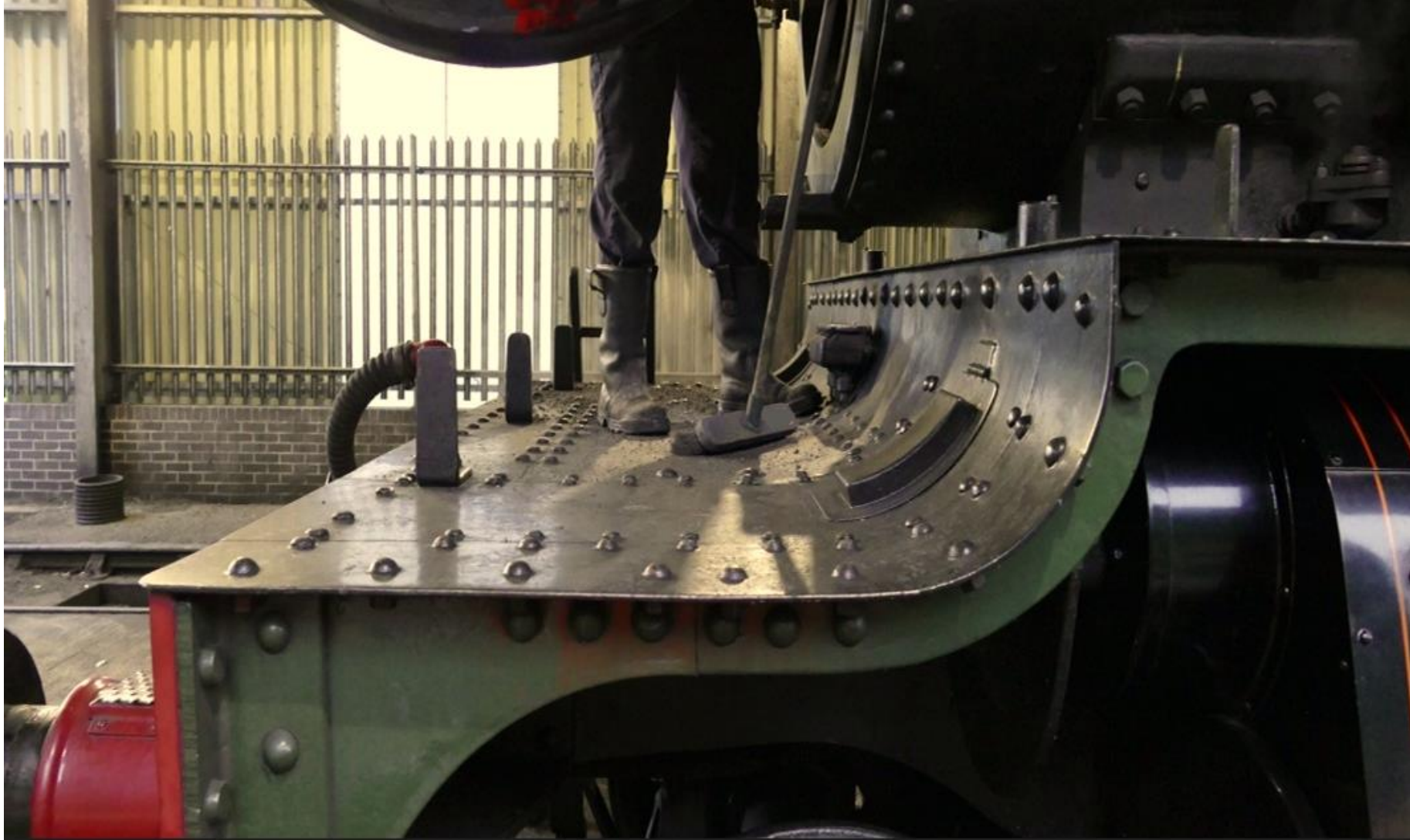
# Work platform guard rail failure







# Ashing-out a smokebox over an open inspection pit





# Prototype smokebox working platform





# Ladders



# Tower scaffold -identify the issues





# Structures



## Don't forget fragile surfaces!









# What does the railway have to do to comply with the law?

- Undertake a suitable and sufficient risk assessment taking account of the requirements of the Work at Height Regulations
- Implement the identified measures to protect against falling from height or to prevent serious consequences (the regulations are very clear and there is plenty of HSE guidance available)
- Provide suitable training and assess competence
- Proactively monitor activities and intervene robustly where necessary
- Keep an asset register and maintain all work at height equipment, including ladders, tower scaffolds and working platforms. Routinely inspect to ensure acceptable condition
- Quarantine defective equipment and then dispose of any kit that is beyond repair
- Audit the asset register and maintenance records
- Routinely review all of the arrangements for suitability

# What duties does a railway volunteer have under the Work at Height Regulations?

**Reg 14 (1)** report any activity or defect relating to work at height which he knows is likely to endanger the safety of himself or another person

**Reg 14 (2)** use any work equipment or safety device provided to him for work at height by a person under whose control he works, in accordance with his

(a) training

and

(b) instructions

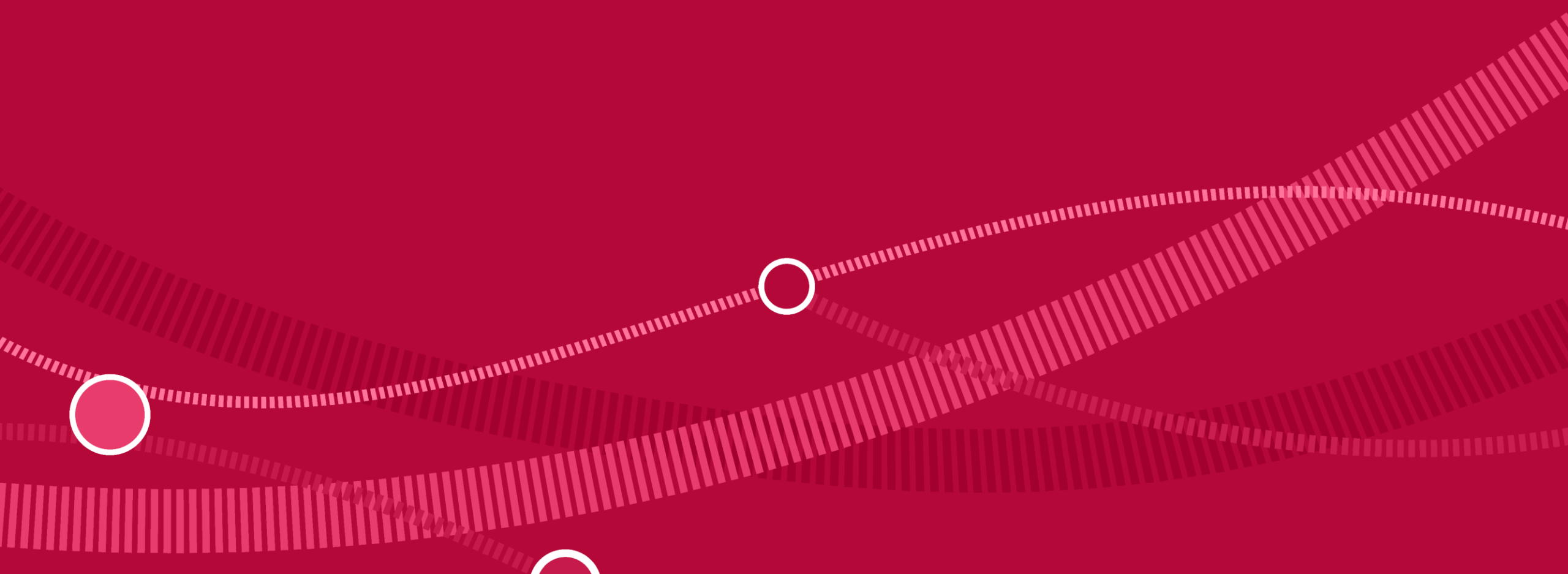
# Summary

- The law on working at height applies to all heritage railways, including wholly-volunteer undertakings
- Individuals cannot “accept the risk” in order to absolve the railway of its duties
- Volunteers have specific duties under the regulations
- There is no minimum height above which the Work at Height Regulations apply – application is determined according to the risk of sustaining personal injury in the event of a fall
- Risk assess and act on the outcome of that risk assessment
- Rule of thumb - if it doesn't look right, then it very likely isn't



*"So, does anyone in the group feel like responding to what Richard has just shared with us?"*

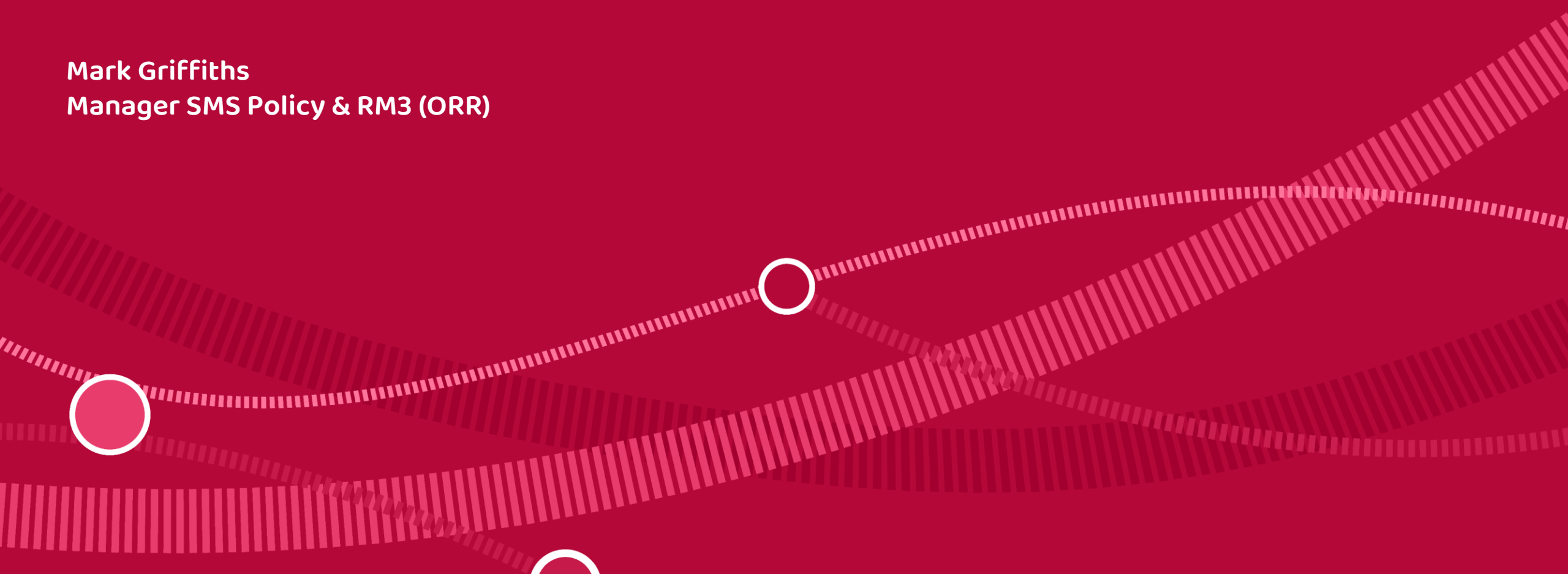
**Break**





# Safety Management Systems

Mark Griffiths  
Manager SMS Policy & RM3 (ORR)

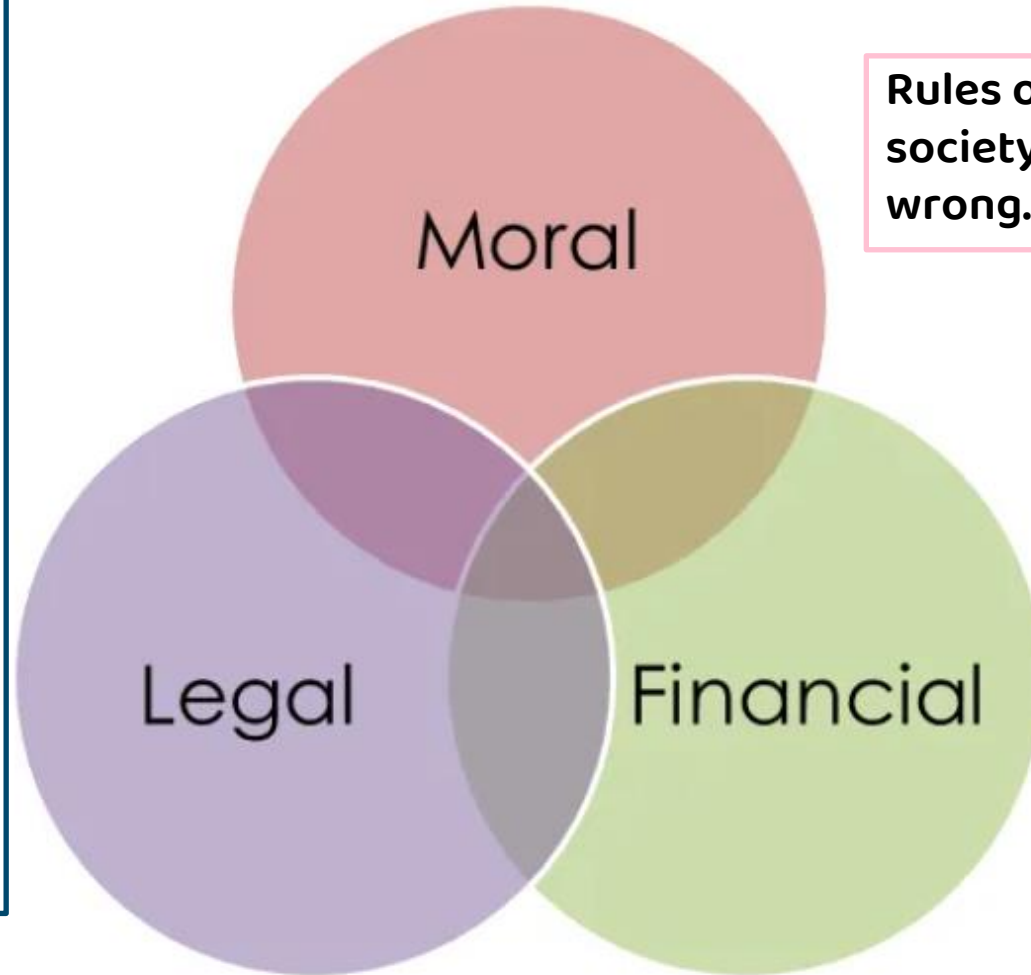


# Why Manage Health and Safety?

Criminal law establishes set of rules for acceptable behaviour. Main duties covered by Health and Safety at Work Act 1974 and Health and Safety at Work Regulations 1999.

In addition, Rail industry specific legislation:

- Railway Safety (Misc Provisions) Regulations 1997;
- Railway Safety Regulations 1999;
- Railways and Other Guided Transport Systems (Safety) Regulations 2006.



Rules of behaviour imposed by society regarding what is right or wrong.

Accidents cost money as a consequence of injured people, damaged equipment, machinery and wasted product.

# Why Manage Health and Safety?

## The Legal requirements on Managing Health and Safety at the Workplace.

Firstly and simply **it's the Law.**

- Health and Safety at Work Act 1974
- Health and Safety at Work Regulations 1999.
- Railway Safety (Misc Provisions) Regulations 1997;
- Railway Safety Regulations 1999;
- Railways and Other Guided Transport Systems (Safety) Regulations 2006.



**Health and safety at Work Act 1974**

Anyone entering these premises must comply with regulations covered by the above act

Note: This consolidated version of ROGS is produced by ORR as a helpful guide and should not be relied upon. Users should obtain copies of the amendments from The Stationery Office if they want the original text.

STATUTORY INSTRUMENTS

2006 No. 599

**HEALTH AND SAFETY**

The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended)(a)

SCHEDULE 1 Regulations 5(1)(c), and 6(1)(b)

9<sup>th</sup> March 2006  
17<sup>th</sup> March 2006

**SAFETY MANAGEMENT SYSTEM**

(This Schedule substantially reproduces the provisions of Annex III to the Directive)

**Requirements on the safety management system**

1. The safety management system shall—

(a) describe the distribution of responsibilities, within the operation, for the safety management system;

(b) show how control of the safety management system by the management on different levels is secured;

(c) show how persons carrying out work or voluntary work directly in relation to the operation and their representatives on all levels are involved with the safety management system; and

the safety management system is ensured.

ment system

gement system are—

which has been approved by the chief executive carrying out work or voluntary work directly in

ets for the maintenance and enhancement of is for reaching those targets;

chnical and operational standards or other

irements; and

Rail and Road addressed to the transport operator

liance with the requirements listed in this cycle of any relevant equipment or operation which question.

rying out risk evaluation and implementing risk

ay in which the operation in question is carried

operation in question,

relation to any infrastructure or the operation

1465698

**Health and Safety at Work etc. Act 1974**

CHAPTER 37

ARRANGEMENT OF SECTIONS

PART I

HEALTH, SAFETY AND WELFARE IN CONNECTION WITH WORK, AND CONTROL OF DANGEROUS SUBSTANCES AND CERTAIN EMISSIONS INTO THE ATMOSPHERE

Preliminary

Section 1. Preliminary.

General duties

2. General duties of employers to their employees.

3. General duties of employers and self-employed to persons other than their employees.

4. General duties of persons concerned with premises to persons other than their employees.

5. General duty of persons in control of certain premises in relation to harmful emissions into atmosphere.

6. General duties of manufacturers etc. as regards articles and substances for use at work.

7. General duties of employees at work.

8. Duty not to interfere with or misuse things provided pursuant to certain provisions.

9. Duty not to charge employees for things done or provided pursuant to certain specific requirements.

The Health and Safety Commission and the Health and Safety Executive

10. Establishment of the Commission and the Executive.

11. General functions of the Commission and the Executive.

12. Control of the Commission by the Secretary of State.

13. Other powers of the Commission.

14. Power of the Commission to direct investigations and inquiries.

Health and safety regulations and approved codes of practice

15. Health and safety regulations.

16. Approval of codes of practice by the Commission.

17. Use of approved codes of practice in criminal proceedings.

A

# Legal Responsibilities

**Management of Health and Safety at Work Regulations 1999 requires employers to put in place arrangements to control health and Safety risks.**

- **A Written Health and Safety Policy (5 or more people);**
- **Assessments of risks to employees, contractors, partners and any people affected by your activities;**
- **Arrangements for effective planning, organisational control, monitoring and review of preventative measures and protective measures that come from risk assessments;**
- **Access to competent Health and Safety Advice;**
- **Information and guidance to employees about risks in the work place and how they are protected;**
- **Training and instructions for employees how to deal with the risks;**
- **Ensuring adequate and appropriate supervision in place;**
- **Consulting with employees about risks at the workplace with current preventative and protective measures.**

# Legal Responsibilities

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- Information and guidance to employees about **risks** in the work place and how they are protected;
- Training and instructions for employees how to deal with the **risks**;
- Ensuring adequate and appropriate supervision in place;
- Consulting with employees about **risks** at the workplace with current preventative and protective measures.



# What is risk?

Under the Management of Health and Safety at Work Regulations 1999, the minimum a duty holder must do is:

- Identify what could cause injury or illness in the business (hazards);
- Decide how likely it is that someone could be harmed and how seriously (the risk);
- Take action to eliminate the hazard or if this isn't possible, control the risk.

Risk in simple terms is how likely that someone could be harmed or injured and to what severity due to a hazard.

Risks can be managed by:

1. Identifying hazards
2. Assessing the risk
3. Controlling the risks
4. Recording your findings
5. Reviewing the controls



# Safety Management System (SMS)

Organisations have a legal and moral duty to put suitable arrangements in place for managing Health and Safety at the workplace, keeping everyone safe.

A Safety Management System (SMS) provides a systematic approach to managing safely, including the necessary organisational structures, accountabilities, policies and procedures. An SMS provides:

- A systematic way to identify and control risk;
- Assurance that risk controls remain effective;
- Document compliance to regulatory requirements / Law.



The PDCA methodology is integral to the SMS approach. Further information can be found in HSG65

# Framework of a Safety Management System

**Safety Policy and Objectives**

**Safety Risk Management**

**Safety Promotion**

**Safety Assurance**

# Framework of a Safety Management System

---

## Safety Policy and Objectives

Management Commitment

Safety Accountability and Responsibilities

Appointment of key safety Personnel

Coordination of Emergency Response Planning

SMS Documentation

---

## Safety Risk Management

Hazard Identification

Safety risk assessment and mitigation

---

# Framework of a Safety Management System

---

## Safety Assurance

Safety Performance monitoring and measurement

---

The Management of Change

---

Continuous improvement of the SMS

---

---

## Safety Promotion

Training and Education

---

Safety Communication

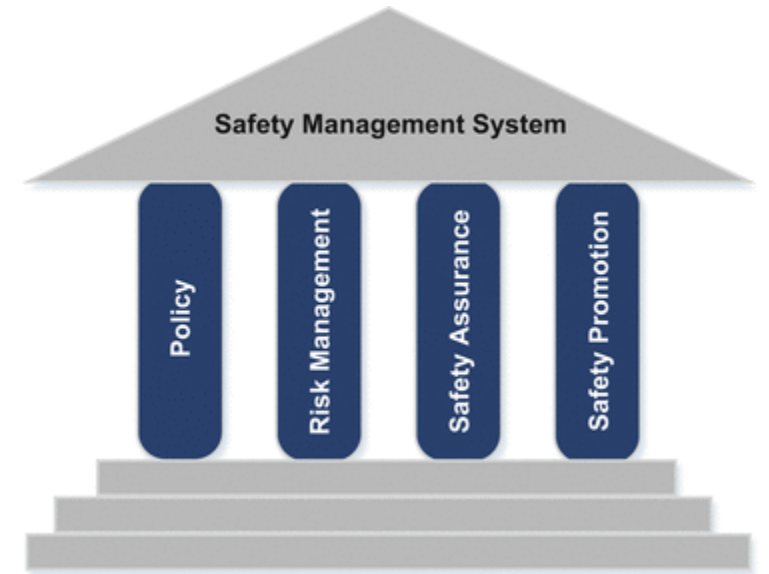
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# Safety Management System

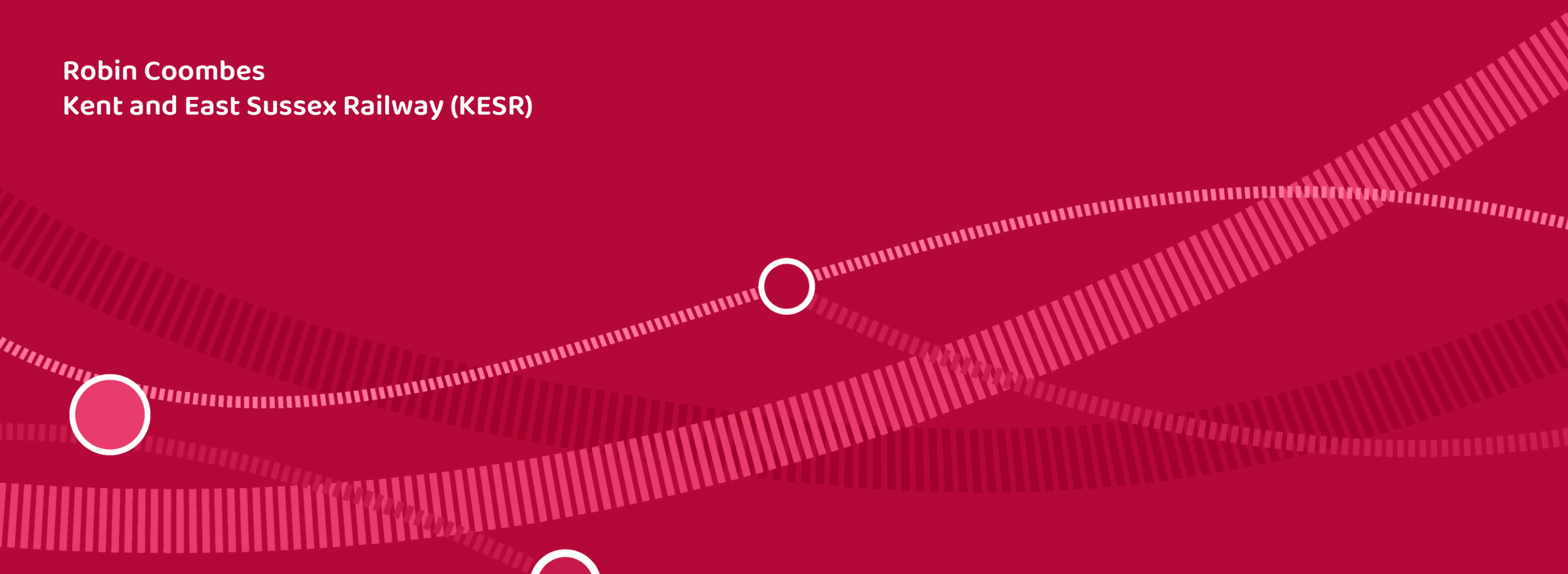
A SMS should detail the organisations approach to:

- Senior Management commitment to the management of safety
- Risk Management
- Effective Safety Reporting
- Continuous monitoring (Safety Assurance)
- Investigation of safety occurrences
- Sharing safety lessons learned and best practices
- Integration of safety training for operational personnel
- Effective implementation of Standard Operating Procedures (SOP's)
- Continuous improvement of the overall level of Safety – RM3-H



# Board Governance

Robin Coombes  
Kent and East Sussex Railway (KESR)







## The 12 'Tablets of Governance'

### Purpose

The 12 'Tablets of Governance' describe what proportionate governance and leadership look and feel like.

### Preparedness

Each Director shows up to meetings totally prepared for their role.

### Doing the right thing

Directors individually and collectively will always strive to do the right thing in the right way for the right reasons and at the right time.

### Faith

Directors will retain faith that they will prevail in the end regardless of difficulties that at the same time confront the brutal facts of the current reality, whatever that might be.

### Alignment

Directors must always have full alignment between the core purpose of the Board should define/refer to here). The Board makes sure that all decisions and railway's activities.

Directors must always excel at – (to be stated); what is it they can do better than others Directors think they are delivering – (to be stated); and how they are doing it – (to be stated).

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Directors must always have full alignment between the core purpose of the Board should define/refer to here). The Board makes sure that all decisions and railway's activities.

They will also recognise other roles need to be fulfilled to make an effective Board: someone who looks to the stars; a stickler for procedure and detail; someone grounded in practicality; the devil's advocate; the sensitive, touchy feely one; someone to give alternative views and a different perspective; the ice cold logical view; and someone to always provide the moral compass.

### Planning for the best and worst

The rules / constitution / governance documents / policies and strategies will be regularly reviewed (e.g. annually). Their purpose should include setting targets and objectives for success and intervention, and describe and reference arrangements designed to guide the organisation through any foreseeable conflict, crisis, and disaster. Directors must never forget every organisation is vulnerable, no matter how big or small, strong or weak, and whatever stage of development. Directors must always prepare and plan for their succession.

### Leadership and teamwork

Directors will strive to act as a team, respecting and utilising the abilities of others whilst realising they are working towards a common goal. Directors must always prepare and plan for their succession. Directors must be disciplined to follow, as well as to lead. Directors must master themselves before they can master their task.

# Governance

RM<sup>3</sup> 2019



The Risk Management Maturity Model

Topic set 1

Heritage Railways

Version 1.1 2021





# Setting the scene

## **ORR RM3 2019 HERITAGE TOPIC SET**

SP Health and safety policy, leadership and board governance

Purpose:

To make sure that the organisation is effectively governed and led.

## **HRA DRAFT CODE OF CONDUCT**

The Code's purpose is to;

Encourage good governance,

## **Severn Valley Railway**

LinkedIn Post

Looking for someone to do a Governance Review

## **Kent and East Sussex Railway**

Governance Review in January 2023



# Questions

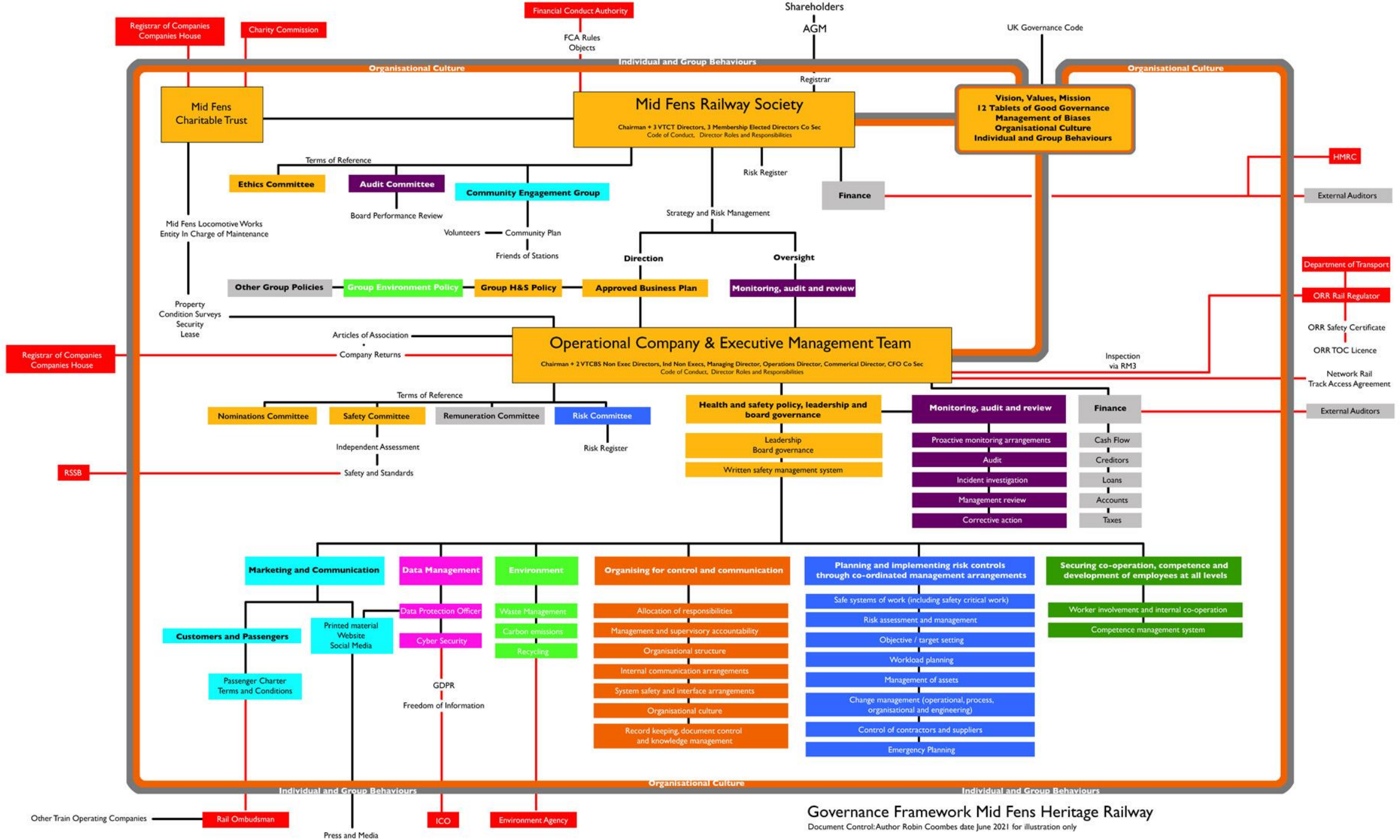
What is governance?

Why is it important?

What does it mean for us?

What is our takeaway?






**Governance Framework Mid Fens Heritage Railway**  
 Document Control: Author Robin Coombes date June 2021 for illustration only



# What is governance?

- 
- Everything you do to lead, manage, administer the railway to keep it safe, legal and sustainable.




## Why is it important?

- It makes the difference between the road to surviving and success or the road to chaos and failure
- To survive organisations need to innovate and adapt. Cost of living is an opportunity. Learning and evolving only comes from good governance



# What does it mean for us?

- 
- You can either recognise it, and take its principles on board, or ignore it and fly blind into the next cloud covered mountain



# What is our takeaway?

Ask yourselves these simple questions.

- Are we safe, are we legal, are we sustainable, how do we know if we are or we are not, how can we prove it, to ourselves, our staff and volunteers, our public, our members, the authorities?

Getting an idea of what good governance looks and feels like.

*As a GM what keeps me awake at night is appearing at an ORR or RAIB investigation*





# Some still don't get it

- Why is good governance so important now, when most of us have got away with it for so long. OK we have had a few close calls, but we are still here so what's the problem?
- If you try to drown us in paperwork, it just gets too difficult, and volunteers are going to walk away.
- No jumped up, wet behind the ears, jobs worth is going to preach to us about running our railway. We run it on common sense as we always have.
- The railway just gets on with things while the Directors stick their heads in a buck of sand with their fingers up their proverbial.....
- I did not become a Director just to do all the fluffy paperwork stuff
- So according to your 'head in the clouds' views from big business or the big railway who all get whacking big salaries we are not doing a great job so what's the alternative, it is hard enough to get any director to take on a thankless task with enormous liabilities for no pay and become a scapegoat, who else are you going to get to do the job, there are not many queuing up, except those that want it for the wrong reasons?
- So instead of shining the spotlight on us all the time, why not hold a mirror up to yourselves, are you really holier than thou?
- No railway I know would be stupid enough to adopt your tablets of governance.
- Don't thing the HRA is even serious about governance?

# Day-to Day examples

- Trustee is one of nine is upset that Charity Law may be broken if a soft interest free loan is given from the Railway Trust to the operating company.
- A chairman makes homophobic comments and incites violence towards a volunteer, but the railway is dependent on his financial support.
- A safety director with guilty knowledge allows services to continue as stopping services would badly hit revenue and reputation.
- A chairman who tries to bully the company secretary into changing documents and minutes.
- A railway charity that insists that it must sign off the safety case not the operating company
- A railway company that refuses to honour long standing contracts with locomotive owners
- Turning a blind eye to safety practices of a volunteer group restoring wagons on railway property
- Ignoring rumours from several sources of young volunteers being given a hard time by older members
- A clique of directors meeting outside formal board meetings and making decisions
- A railway company that inflated the values of its assets to secure a bank loan
- A railway that has not arranged for regular inspections of its bridges
- A railway that ignored several reports that a foot crossing was dangerous
- A railway where there was no induction for new directors

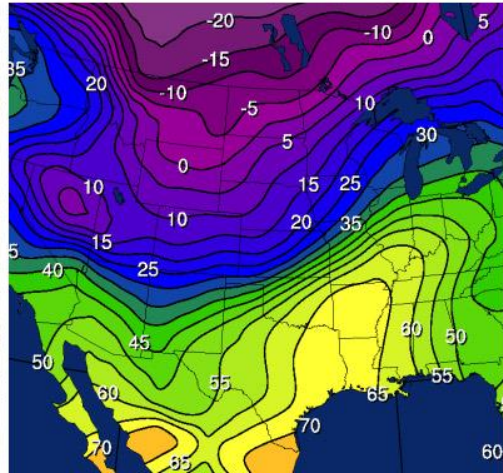
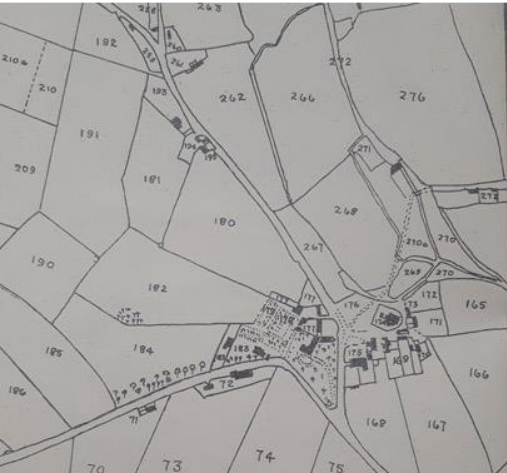
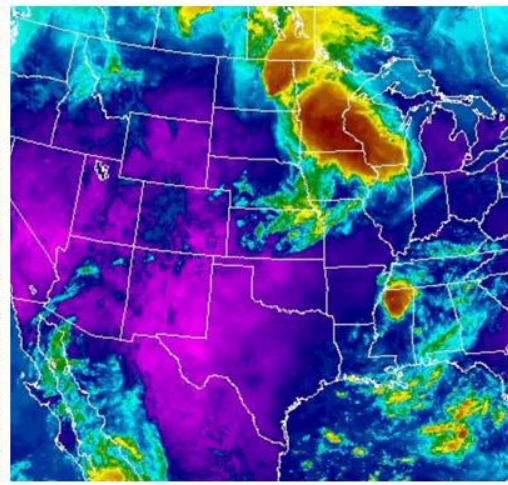
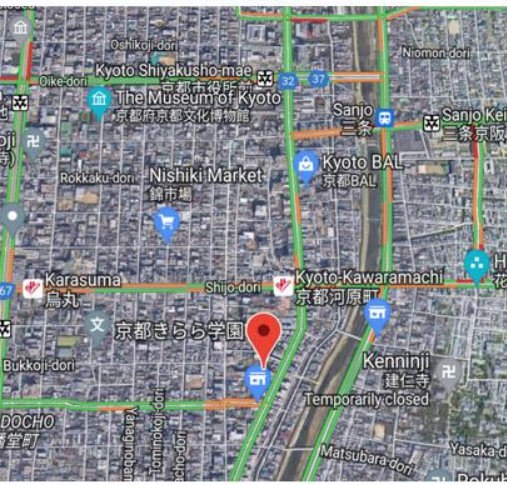
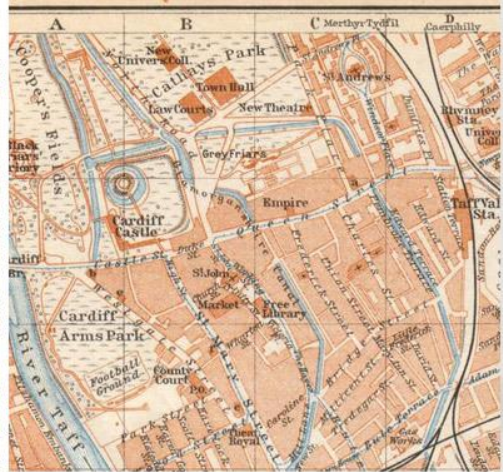
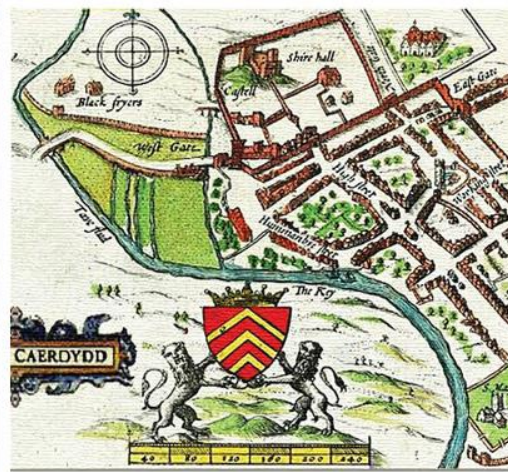




# Governance Structures



















## The 12 'Tablets of Governance'

### Purpose

The 12 'Tablets of Governance' describe what proportionate governance and leadership look and feel like.

### Preparedness

Each Director shows up to meetings totally prepared for their role.

### Doing the right thing

Directors individually and collectively will always strive to do the right thing in the right way for the right reasons and at the right time.

### Faith

Directors will retain faith that they will prevail in the end regardless of difficulties that at the same time confront the brutal facts of the current reality, whatever that might be.

### Alignment

Directors must always have full alignment between the core purpose of the Board should define/refer to here). The Board makes sure that all decisions and railway's activities.

Directors must excel at – (to be stated); what is it they can do better than others? Directors think they are delivering – (to be stated); and how they are measured – (to be stated).

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Directors must always have full alignment between the core purpose of the Board should define/refer to here). The Board makes sure that all decisions and railway's activities.

They will also recognise other roles need to be fulfilled to make an effective Board: someone who looks to the stars; a stickler for procedure and detail; someone grounded in practicality; the devil's advocate; the sensitive, touchy feely one; someone to give alternative views and a different perspective; the ice cold logical view; and someone to always provide the moral compass.

### Planning for the best and worst

The rules / constitution / governance documents / policies and strategies will be regularly reviewed (e.g. annually). Their purpose should include setting targets and objectives for success and intervention, and describe and reference arrangements designed to guide the organisation through any foreseeable conflict, crisis, and disaster. Directors must never forget every organisation is vulnerable, no matter how big or small, strong or weak, and whatever stage of development. Directors must always prepare and plan for their succession.

### Leadership and teamwork

Directors will strive to act as a team, respecting and utilising the abilities of others whilst realising they are working towards a common goal. Directors must always prepare and plan for their succession. Directors must be disciplined to follow, as well as to lead. Directors must master themselves before they can master their task.

**RM<sup>3</sup> 2019**  
 The Risk Management Maturity Model  
 Topic set 1  
 Heritage Railways  
 Version 1.1 2021






A large, solid orange circle is positioned on the left side of the slide, partially cut off by the edge.

# Preparedness

Each Director shows up to meetings totally prepared for their role.

A decorative yellow dashed line is located in the bottom right corner of the slide, consisting of several short, curved segments.

A large, solid orange circle is positioned on the left side of the slide, partially overlapping the white background.

# Doing the right thing

Directors individually and collectively will always strive to do the right thing in the right way for the right reasons and at the right time.



# Faith

Directors will retain faith that they will prevail in the end regardless of difficulties and at the same time confront the brutal facts of the current reality, whatever that might be.





# Alignment

Directors must always have full alignment between the core purposes and values [which the Board should define/refer to here]. The Board makes sure that these values underpin all its decisions and railway's activities.

What it is they must excel at – [to be stated]; what is it they cannot fail at – [to be stated]; what makes Directors think they are delivering – [to be stated]; and how do they keep delivering – [to be stated].

# Bottom line of Governance

Our base line is [Board to state here], the UK Corporate Governance Code , and if a charity the Charity Commission Charity Governance Code ; or and other relevant codes. Further information is also available at the HRA Guidance note on the duties of Board Directors & Chairs .

Directors will comply with all legal, regulatory and recognised good practice requirements. All Directors will have read and understood all relevant documents and update themselves with individual continuous professional development and board wide training.

The four basic tasks of the Board are:

- Establishing and maintaining vision, mission, and values
- Deciding strategy and structure
- Delegating the authority to manage to monitor and evaluate performance
- Communicating with its members and all internal and external stakeholders

## Roles and responsibilities

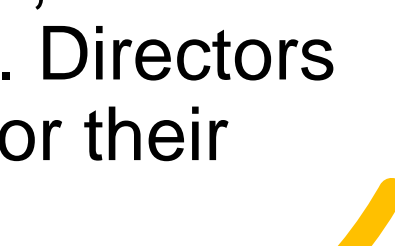
Each Director will have specific roles, responsibilities and standards of ethics and behaviours; and these will be written down and available to all. Directors can never tolerate carelessness, incapacity, and neglect; they are forever accountable for what they do and what they fail to do. Both individually and collectively. Directors will never compromise their responsibilities. They will never take anything for granted. Directors will never be found short in their knowledge and in their skills.

They will also recognise other roles need to be fulfilled to make an effective Board: someone who looks to the stars; a stickler for procedure and detail; someone grounded in practicality; the devil's advocate; the sensitive, touchy feely one; someone to give alternative views and a different perspective; the ice-cold logical view; and someone to always provide the moral compass.



# Planning for the best and worst

The rules / constitution / governance documents / policies and strategies will be regularly reviewed (e.g. annually). Their purpose should include setting targets and objectives for success and intervention, and describe and reference arrangements designed to guide the organisation through any foreseeable conflict, crisis, and disaster. Directors must never forget every organisation is vulnerable, no matter how big or small, strong or weak, and whatever stage of development. Directors must always prepare and plan for their succession.



# Leadership and teamwork

Directors will strive to act as a team, respecting and utilising the abilities of others whilst realising they are working towards a common goal. Success depends on the efforts of all. Directors must be disciplined to follow, as well as to lead, knowing that they must master themselves before they can master their task.



# Making the best decisions

The Board working as one, not individuals, make the best decisions. Directors must have the courage and integrity to challenge how things are done: not settling for the status quo. The Board should confront and overcome complexity, incomplete information, the consequences of being wrong, and the human element. Decisions must be based on truth and reality – what is actually done versus what should be done in accordance with the standard. Where possible, Directors should seek alternative perspectives, question their objectivity, be paranoid to biases, and be open to new information. No decision can be absolutely right or wrong, but it must be the best they can make.



# Vigilance

Directors must be always attentive to the dangers and risks to the business, never accepting success as a substitute for the rigour in everything they do. Directors must share information willingly and openly even when it is challenging and discomfoting for them. Directors will continually keep asking why, looking behind the incident reports for underlying factors. Why something happened? Why something didn't happen? And the How it happened. Acknowledge that small errors that aren't caught and corrected can lead to bigger failures.

# Communication

Directors must listen closely and carefully when colleagues, staff, members, volunteers, customers and stakeholders talk. What they say and what they don't say. What do Directors need to do, to find out more? Whenever possible record everything in writing to reduce risk of misinterpretation and confusion. It will be the only record on which future actions and learning can be based. Whenever possible double check what Directors think they have communicated has been understood, always use language that is simple, inclusive, and understandable. Be prepared that Directors themselves are the communication problem.

# Final Tablet

Constantly guard against a Board where good people are leaving, power is concentrated and exercised by the chair; and key appointments go to a select few. Be aware of the risk created by telling rather than consulting; key decisions being made by small select groups; and popular projects winning over essential projects.

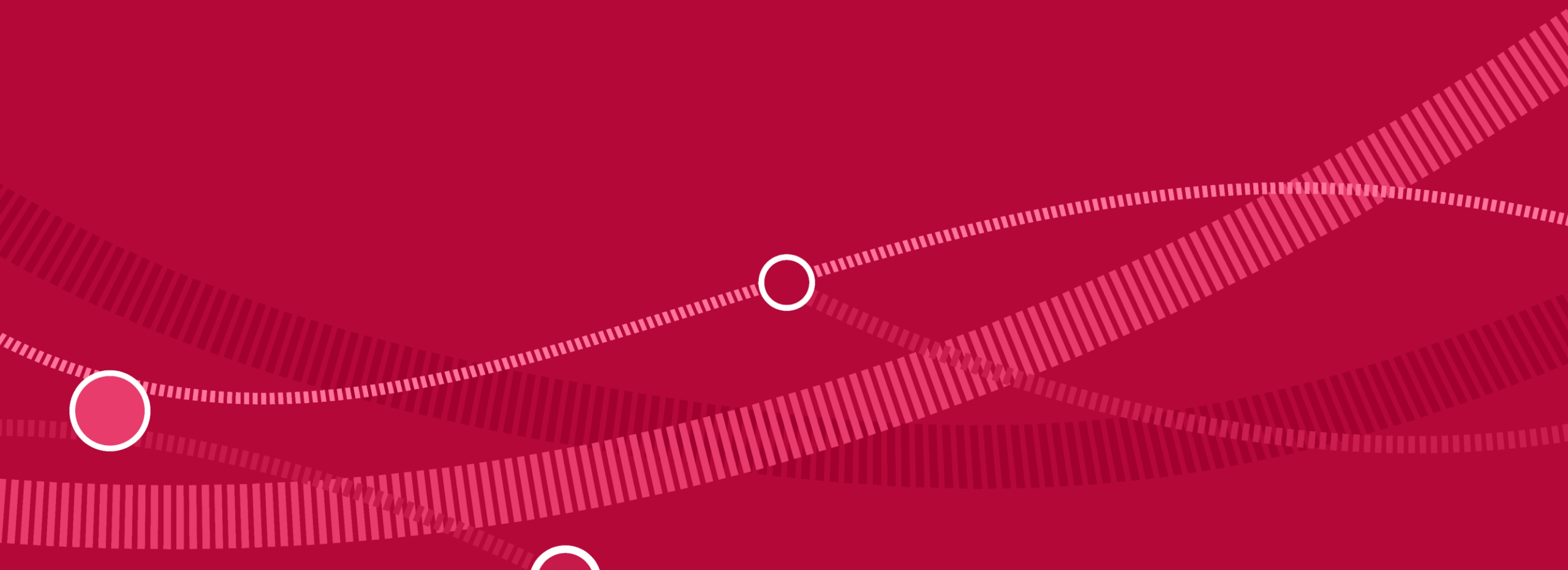




THE FUTURE  
IS FEMALE

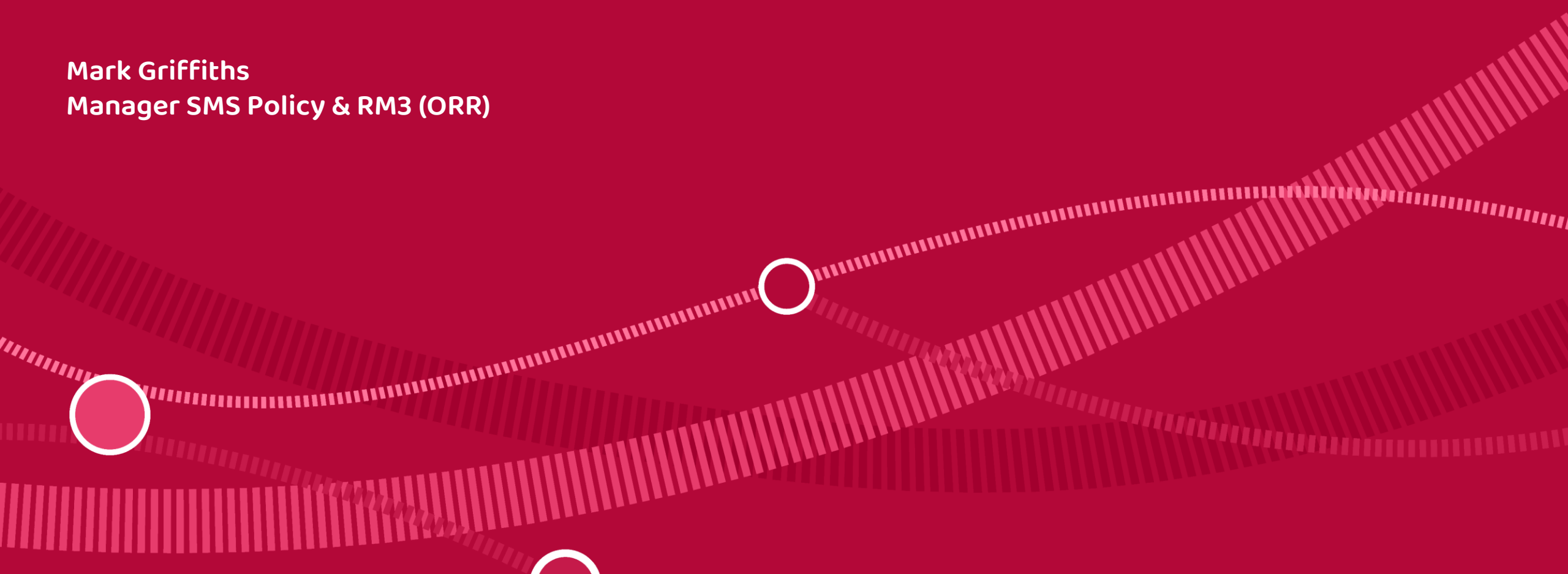


Lunch



# RM3-H

Mark Griffiths  
Manager SMS Policy & RM3 (ORR)



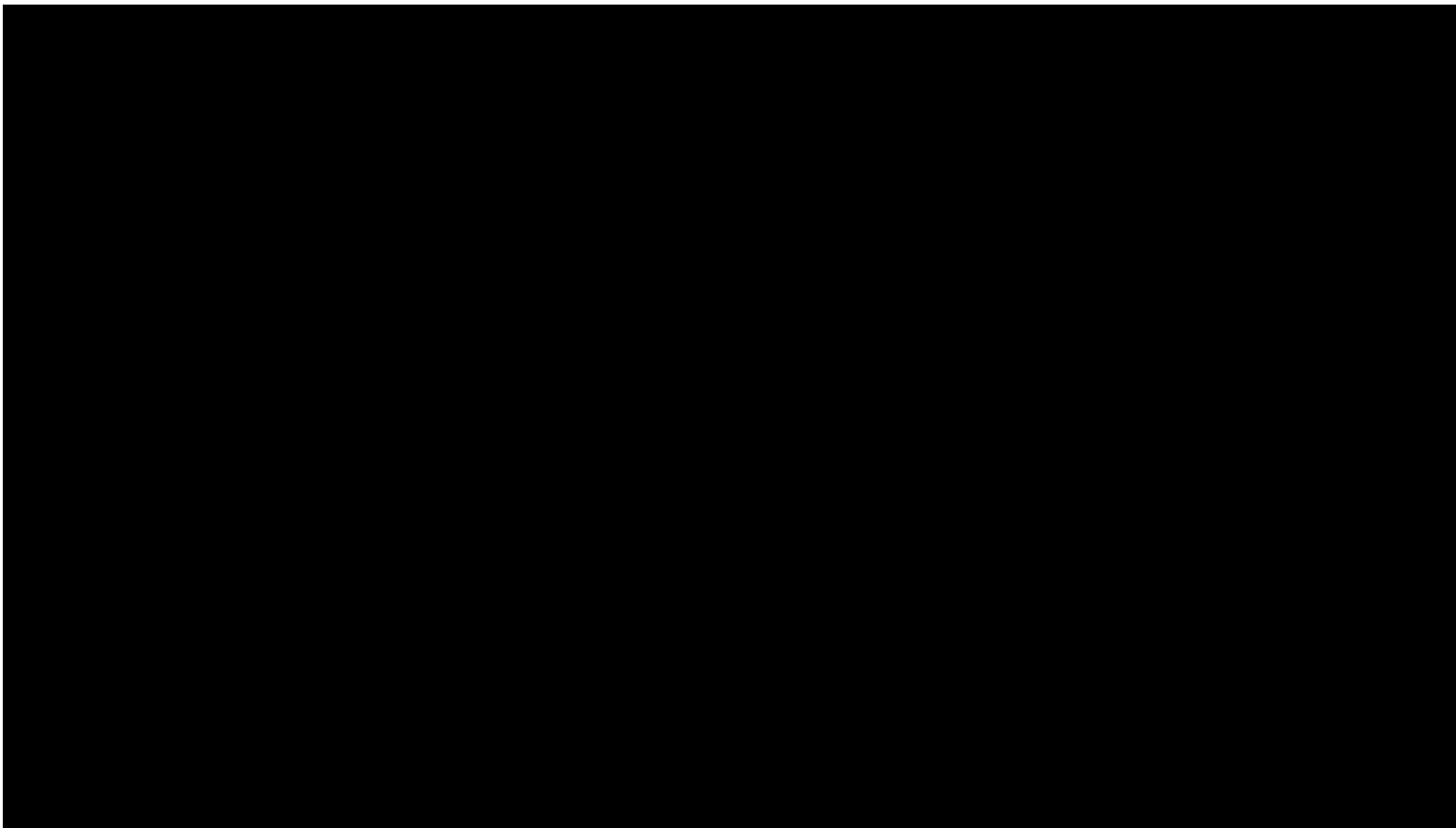
# RM3 – ORR Vision

**Zero industry-caused fatalities and major injuries to passengers, the public and the workforce**

- **To be achieved through the industry achieving excellence in;**
- **Culture;**
- **Health, safety and asset management; and**
- **Risk Control**



# RM3 Case Study – Non Railway





# What is RM3

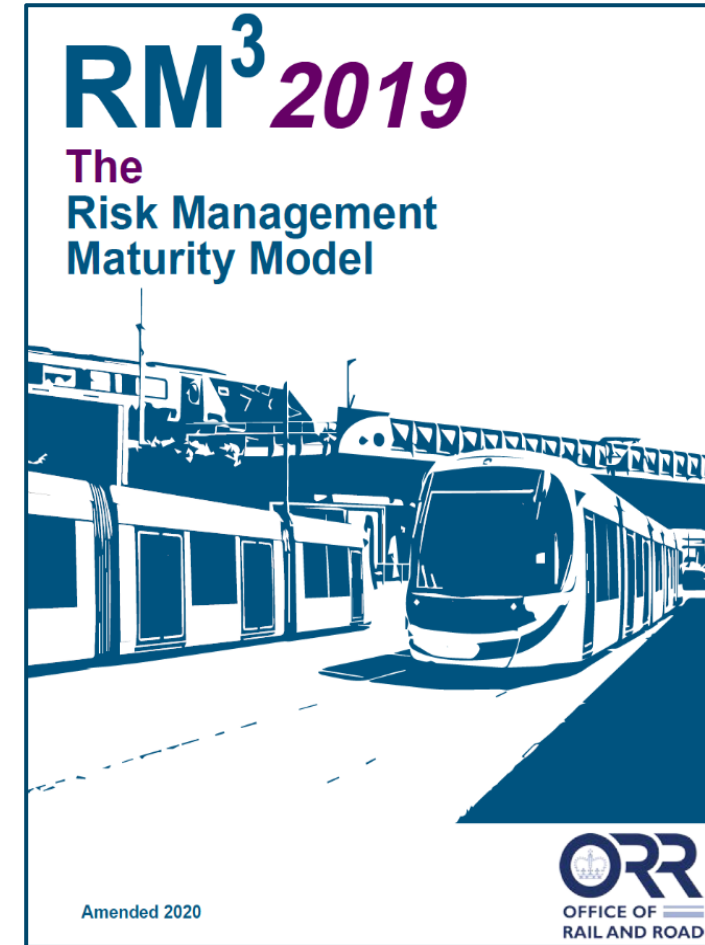
What is RM3?

RM3 is designed to assist you in determining the maturity of your SMS, encouraging organisations to achieve **excellence** in Health and Safety Management..

Not a Safety Management System (SMS) but to form an integral part of your own SMS;

RM3 provides criteria for measuring management capability against:

- 5 Maturity levels across
- 26 Criteria which are essential areas of the SMS



# Risk Management Maturity Model – RM3–H

ORR developed Risk Management Maturity Model (RM3-H) in collaboration with the Heritage rail industry – a tool for any organisation to successfully manage a Safety Management System to:

- Manage Health & Safety Risks;
- Help Identify areas improvement;
- Benchmark for year on year review, to evaluate an organisations SMS maturity progress through the 5 maturity levels.



# RM3-H in Regulation

RM3 is **not** an audit tool.

It is a model to structure discussions about evidence and where to go next, either internally in organisations or between inspectors and the organisations we regulate.

We do not do “RM3 Inspections”.

We systematically collect evidence to inform our view of management maturity

We use the RM3 model to structure our thinking and conclusions.

Our conclusions aim to suggest improvement priorities to achieve greater management maturity.



# Why we developed the Risk Management Maturity Model (RM3-H)?

To help heritage railways we developed RM3-H, with input from key stakeholders.

RM3-H provides more focused descriptors over a much smaller and more readily applicable set of criteria than the 26 found in the full RM<sup>3</sup> 2019.

RM3 will help you to consider safety management system capability, identify areas for development, and provide a benchmark for year-on-year comparisons.

## RM<sup>3</sup> 2019



The  
Risk Management  
Maturity Model

Topic set 1

Heritage Railways

Version 1.1 2021





# Safety Performance - Why Excellence?

## Why Excellence?

To ensure high likelihood of sustained compliance.

Safety performance varies on a daily basis.

If an organisation is performing “ad hoc” then the likelihood is with normal performance and any dips in performance will be below legal minimum compliance and risks uncontrolled.

RM3 helps ORR evaluate the capability of the organisation and managers to sustain control of risks and to indicate if there is continuous improvement in the management of safety.



# The 5 maturity levels

Local groups are organised to ensure repeatable performance BUT each work group performs similar tasks differently

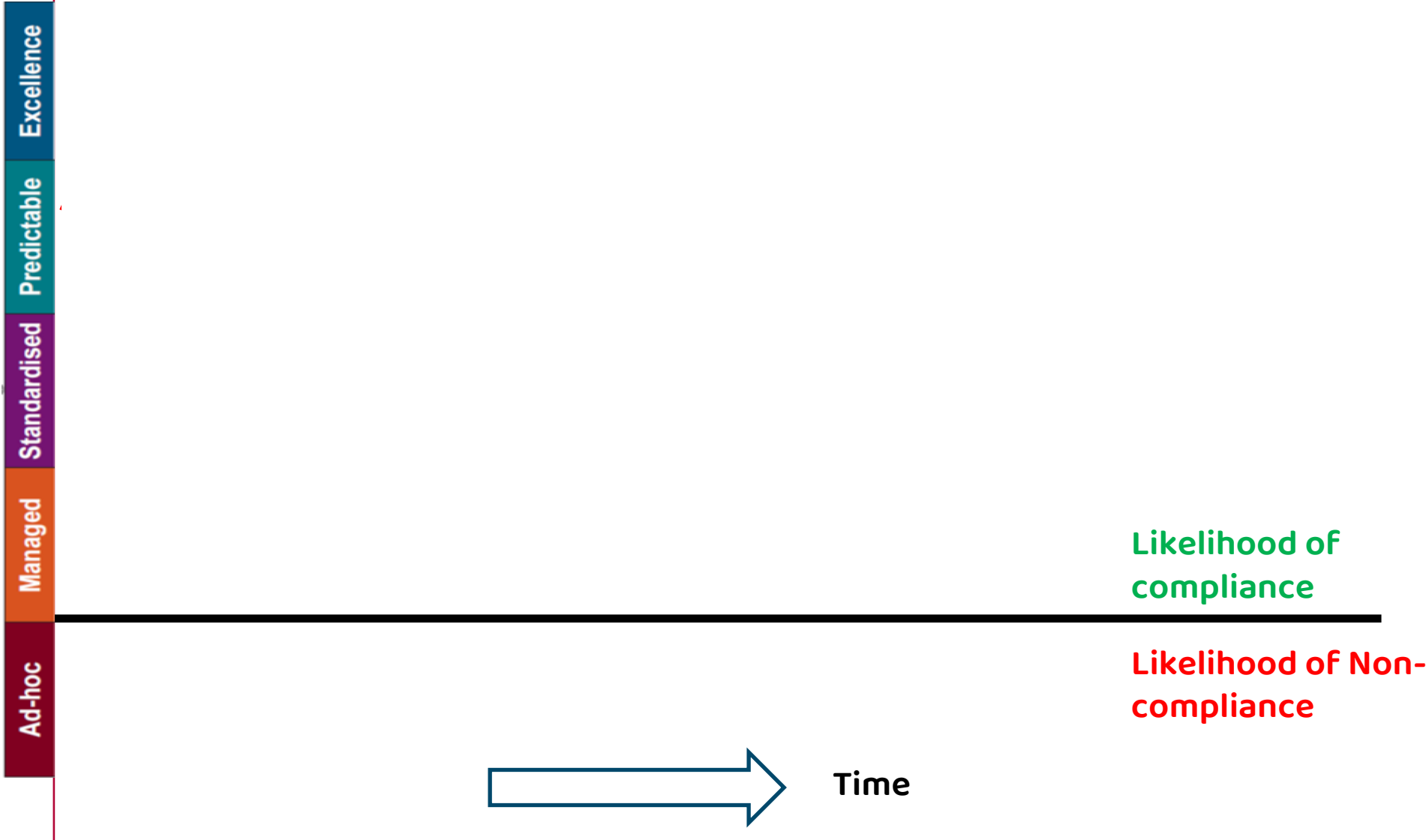
Ad hoc and uncoordinated

Proactive/continual improvement

Delivery can be predicted by the management system  
Variation and change is controlled

Good practice synthesised into standard processes

# Why Excellence?



# The RM3-H Themes, Criteria & Maturity Levels

<p><b>Health and safety policy, leadership and board governance</b></p>	<p>SP1 Leadership                  SP3 Board governance                  SP4 Written health and safety management system</p>	<p>SP</p>
<p><b>Organising for control and communication</b></p>	<p>OC7 Record keeping, document control and knowledge management</p>	<p>OC</p>
<p><b>Securing co-operation, competence and development of staff at all levels</b></p>	<p>OP2 Competence management system</p>	<p>OP</p>
<p><b>Planning and implementing risk controls through co-ordinated management arrangements</b></p>	<p>PI1 Risk assessment and management                  RCS2 Management of assets                  RCS3 Change management (operational, process, organisational and engineering)</p>	<p>PI &amp; RCS</p>
<p><b>Monitoring, audit and review</b></p>	<p>MRA2 Audit                  MRA3 Incident investigation</p>	<p>MRA</p>





# RM3-H Maturity Model Criteria

Health and safety policy, leadership and board governance	SP1 Leadership SP3 Board governance SP4 Written health and safety management system	SP
Organising for control and communication	OC7 Record keeping, document control and knowledge management	OC
Securing co-operation, competence and development of staff at all levels	OP2 Competence management system	OP
Planning and implementing risk controls through co-ordinated management arrangements	PI1 Risk assessment and management RCS2 Management of assets RCS3 Change management (operational, process, organisational and engineering)	PI & RCS
Monitoring, audit and review	MRA2 Audit MRA3 Incident investigation	MRA

Excellence	It is characteristic of processes at this level that the focus is on continually improving process performance through both incremental and innovative technological changes / improvements.
Predictable	It is characteristic of processes at this level that, using process metrics, management can effectively control the AS-IS process (An “as is” business process defines the current state of the business process in an organisation). In particular, management can identify ways to adjust and adapt the process to particular projects, without measurable losses of quality or deviations from specifications. Process capability is established from this level.
Standardised	It is a characteristic of processes at this level that there are sets of defined and documented standard processes established and subject to some degree of improvement over time. These standard processes are in place (i.e. they are the AS-IS processes) and used to establish consistency of process performance across the organisation.
Managed	It is characteristic of processes at this level that some processes are repeatable, possibly with consistent results. Process discipline is unlikely to be rigorous, but where it exists it may help to ensure that existing processes are maintained during times of stress.
Ad-hoc	It is characteristic of processes at this level that they are (typically) undocumented and in a state of dynamic change, tending to be driven in an ad-hoc, uncontrolled and reactive manner by users or events. This provides a chaotic or unstable environment for the processes.

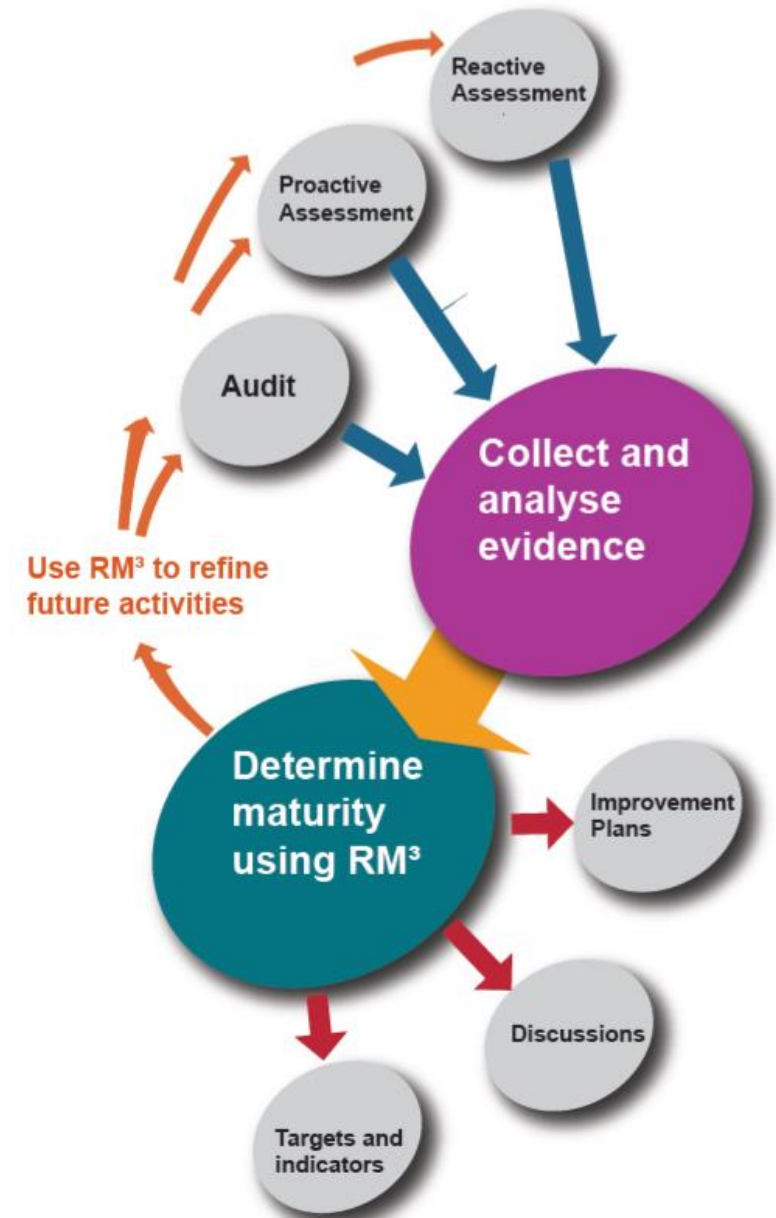




# Using RM3-H Criteria

RM3-H supports the evaluation of an organisations Safety Management System (SMS) and can identify whether the SMS provides and maintains risk control systems, consistent way of evaluating the SMS required by the Management of Health & Safety at Work Regulations 1999 and ROGS.

- Reactive assessment** includes:
- Workplace violations and errors
  - Incidents
  - Failures to deliver performance objectives
  - Complaints
- Proactive assessment** includes:
- Risk control system review
  - Safety verification activity
  - Safety certification/authorisation assessment
- Audit** includes:
- Top down SMS reviews
  - Corrective action monitoring
  - Internal and external



# Evidence Gathering

## Consistency of the evidence

If evidence from a number of sources suggests a similar level of maturity, this would indicate that the findings of the assessment are accurate;

## Quantity of the evidence

Whether there is enough evidence to provide an informed opinion on the organisation as a whole. For example, if evidence on document control for a small depot revealed an 'ad-hoc' level of achievement, is that sufficient to form an opinion on the document control system for thirty other, much larger depots?;

## Quality of the evidence

Whether the evidence is based on a limited observation from one site or is consistent across a number of sites and;

## Currency of the information

When the evidence was initially gathered and whether there are likely to have been any significant changes since then.





# RM3 Toolkit

Theme	Criteria	Comments to Support Evidence	Assessed Level (and descriptor)					Assessed
			1	2	3	4	5	Level
Health and Safety policy, leadership and board governance	Leadership - SP1	criterion not assessed						
	Board Governance - SP3	criterion not assessed						
	Written Safety Management Systems - SP4	criterion not assessed						
Organising for control and communication	Record keeping, document control and knowledge management - OC7	criterion not assessed						
Securing cooperation, competence and development of employees at all levels	Competence management system - OP2	criterion not assessed						
Planning and implementing risk controls through coordinated management arrangements	Risk assessment and management - PI1	criterion not assessed						
	Management of Assets - RCS2	criterion not assessed						
	Change management (Operational, processes, organisational and engineering) - RCS3	criterion not assessed						
Monitoring Audit and Review	Audit - MRA2	criterion not assessed						
	Incident investigation - MRA3	criterion not assessed						

ORR Risk Maturity Management Model (RM3-H 2019)



# Further RM3 Learning Tools

RM3 E-Learning Tool [www.orr.gov.uk/rm3](http://www.orr.gov.uk/rm3)



[Introduction to RM3](#)

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[What is RM3?](#)

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[Using RM3](#)

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[RM3 in practice](#)

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# The Dart Valley Railway Ltd

Operating as the Dartmouth Steam Railway  
& Riverboat Company

## RM3



# Content

- Introduction
- Operation
- Safety Management

## RM3



# TimeLine

1980/81 – DVR (Torbay Steam Railway)



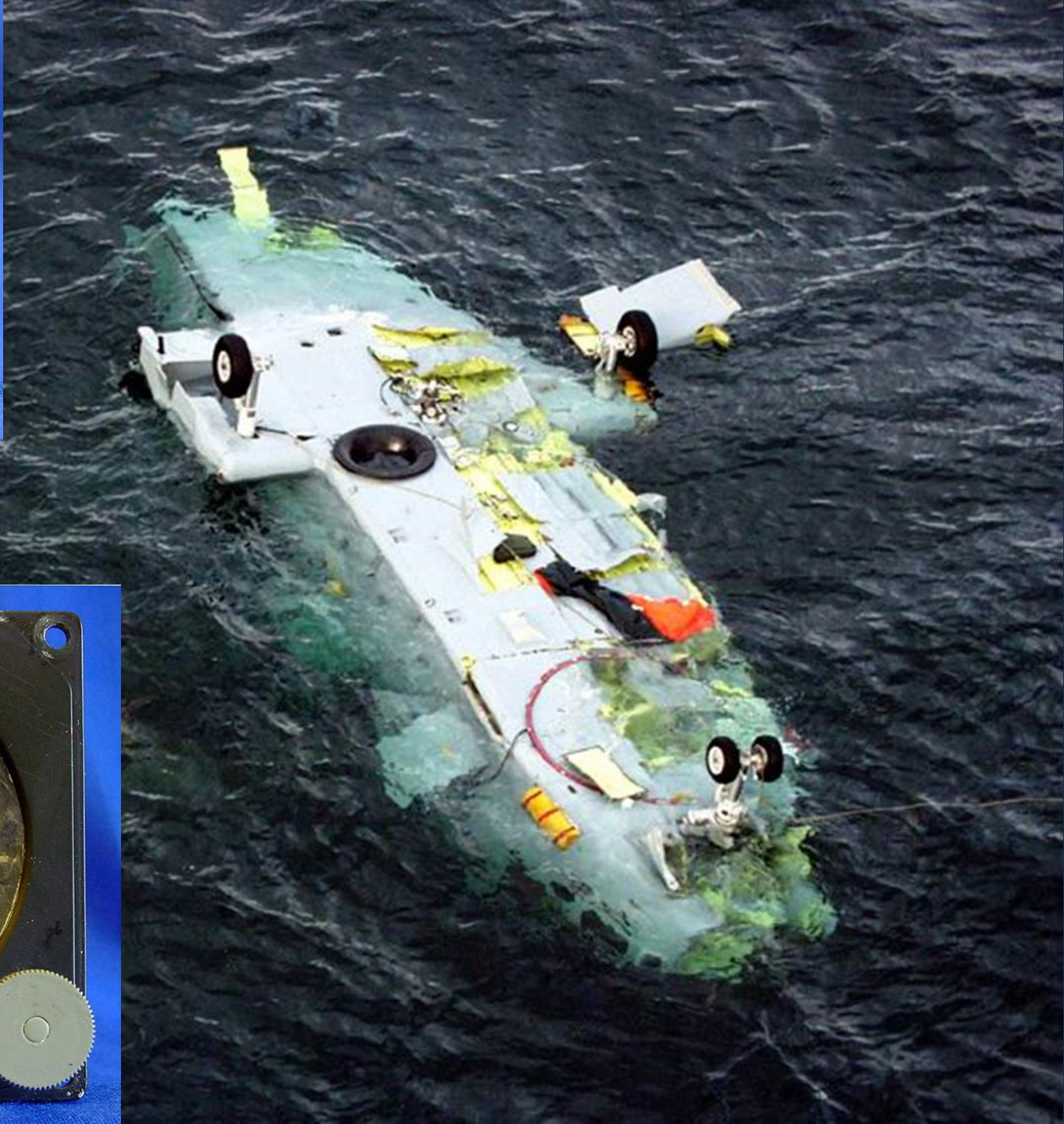
# TimeLine

1980/81 – DVR (Torbay Steam Railway)

1982/12 – RN









# TimeLine

1980/81 – DVR (Torbay Steam Railway)

1982/12 – RN





# TimeLine

1980/81 – DVR (Torbay Steam Railway)

1982/12 – RN

2013 – DVR (DSRRB) Director of H&S



# Not just a Railway







# Passenger Journeys



# SMS

- Own Responsibility





# SMS



- Our Responsibility
- 3 Pillars:
  - Equipment fit for purpose







# SMS

- Our Responsibility
- 3 Pillars:
  - Equipment fit for purpose
  - Competence of Personnel



# SMS

- Our Responsibility
- 3 Pillars:
  - Equipment fit for purpose
  - Competence of Personnel
  - Safety Management Activities



# SMS

## Safety Management Activities

- Culture
- Hazard ID & Risk Management
- Records, documents & Information
- Reporting & Recording of Occurrences
- Safety & Financial Planning
- Safety & Change Management
- **Assurance & Audit**
- Safety Meetings
- H&S, COSHH, Fire Safety
- Fitness for Work
- Emergency Arrangements & Response
- **Safety Management Review**





- Assurance & Audit
- Safety Management Review



DSRRB – RM3



# RM3 - Experience

- 2015 - Safety comprehension (not RM3)
- 2016 - Group Wide Anonymous Questionnaire – questions difficult could not be based directly on the RM3 as was
- 2019 - ORR Visit
- 2021 - by Company Safety Reps  
(face to face)
- 2022 - Audit of another Heritage Railway
- 2023 - Improved Questionnaire

# RM3 - Experience

- Questionnaires – can be an easy way to reach staff
- Sufficiently Representative?
- Difficult – particularly the negative questions
- Anonymity concerns - consequences
- Potential for personalities/criticism/favourite issues
- Interpretation of results
- Not the whole story – somewhat subjective
- Not sure it finds specific safety issues with Ops/Maintenance/Supervision.
- Need to follow from SMS down to what is happening on the ground – is there a path. Are Risks managed to ALARP?



# RM3 -Marking and assessment

Ad Hoc	Unacceptable	1
Managed	Poor	2
Standardised	Adequate	3
Predictable	Adequate with good aspects	4
Excellence	Good	5





# RM3 - Conclusions

- Most useful framework to remove some of the subjectivity
- Safety Reps required little guidance, found it interesting & instructive
- Should not be relied upon to give the whole picture



# RM3 - Conclusions

Other suggested internal audit measures:

- Assume an accident.
  - Investigate competence
  - Equipment
  - Organisation etc.
- Start with the SMS and work down.
  - Are we doing what we say we are all the way to the lowest level?
  - Are we learning from other people/organisations?



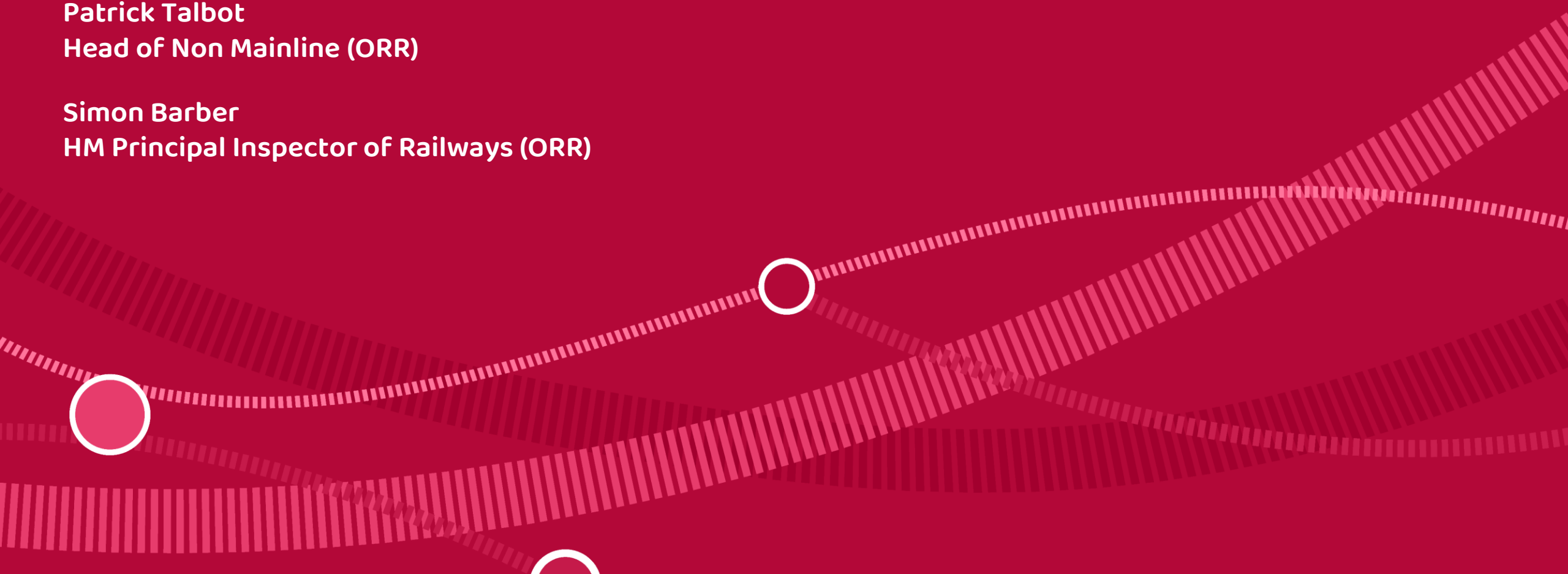
# Summary

- RM3 Strongly Recommended as a key part of a package of measures to Review **your** Safety Management
- As an industry we must stay safe.
- The ORR

# RM3-H Exercise

**Patrick Talbot**  
Head of Non Mainline (ORR)

**Simon Barber**  
HM Principal Inspector of Railways (ORR)





# RM3 Exercise

On your tables within the envelopes are the findings from the Canary Light Railway Inspection.

The Canary Light Railway (CLR) is a preserved standard gauge railway operating in the South-East of England. The railway operates heritage steam and diesel services over its six miles of track, and operates three days a week from March to October.

Within your teams, review the findings and assess against the RM3 model.



# RM3 Exercise Feedback

From your group's analysis of the findings, feedback and discussion.





# Any Questions?



# Final Thoughts



- An effective SMS is essential to the proper management of risks
- RM3 can be used to identify how well the SMS is performing...
- ...and help operators deliver excellence



# Thank You