



21/15-PII

Post Incident Inspection following a planned out of normal operation on the Midleton Branch

7th November 2014

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28th April 2016 CORRIGENDUM First sentence, paragraph 10 page 1, is to read:
"The Railway Safety Commission (RSC) in complying with its statutory duty to regulate railway safety is concerned with any occurrence which, although not resulting in harm, had the potential to do so."

Executive Summary

1. On the 7th of November 2014, a Railway Preservation Society of Ireland (RPSI) special service was permitted to run a planned out of normal operation on the Midleton line.
2. The planned out of normal operation gave rise to:
 1. The train consist being too long for the platform infrastructure at Midleton, resulting in a number of coaches being off the platform
 2. The train consist being too long for the signalling system in Midleton, resulting in the Mill Road level crossing barriers being continuously closed across the public road for c.25 minutes.
 3. Trains being authorised to pass signals at danger, and points being manually operated.
 4. The unnecessary exposure of persons to additional risks.
3. Whilst both the RPSI, and Iarnród Éireann - Railway Undertaking (IÉ-RU) (acting as an agent for the RPSI) were aware of the infrastructure constraints in Midleton as early as June 2013, neither railway organisation identified the potential conflict when the request to operate an eight vehicle train was made on the 16th of October 2014.
4. On the 5th of November 2014, Iarnród Éireann's – Infrastructure Manager (IÉ-IM), Safety Department became aware of the proposed service, and raised concerns due to the length of the train. IÉ-IM Safety Department recommended that the train be either shortened in length, or terminated in Cork, where the platform is sufficiently long. This was communicated accordingly to IÉ-RU and RPSI.
5. On the 6th of November 2014, it was deemed that curtailing the service, in any way, was a potential risk to the company in terms of corporate image given the scale of the event (Chartered RPSI Heritage Train as part of the Web Summit), and the decision was made by the IÉ-IM to permit the operation of the service as originally planned, but with additional staff on the ground to facilitate the 'out of normal' operation at Midleton.
6. Had any harm to persons arisen as a result of the decision to permit this out of normal operation, Iarnród Éireann may have been exposed to proceedings under Railway Safety Legislation.
7. The RSC have made a total of ten Post Incident Inspection (PII) Outcomes, with the responsible Railway Organisation identified in the outcome text. See below tables for detail.

Number	Area	Outcome Owner
21/15-PII-MaNC 1	<p>Non Compliance with IMO-SMS-001 Section 4.15, and the Network Statement section 4.</p> <p>The IÉ-IM, does not fulfil all the functions set out in IMO-SMS-001 such as the development of the weekly circular, and the allocation of capacity.</p>	IÉ-IM

Table 1: Major Non-compliance summary

Number	Area	Outcome Owner
21/15-PII-miNC 1	<p>Non Compliance with Network Statement Section 2.3.2</p> <p>The IÉ-IM, does not fulfil all the functions set out in the Network Statement section 2.3.2 in the development and implementation of access contracts</p>	IÉ-IM

Table 2: Minor Non-compliance summary

Number	Area	PCD	Outcome Owner
21/15-PII-AR 1	<p>IÉ-IM to review & formalise the capacity allocation process</p> <p>IÉ-IM should critically review the process of capacity allocation, from request through to allocation, to ensure the system is robust, consistent and traceable.</p> <p>As part of this review, stakeholders should be consulted and kept informed in accordance with EU Regulation No. 1169/2010 Annex II, Criteria U and S.I. No. 249 of 2015.</p>	3 months	IÉ-IM
21/15-PII-AR 2	<p>IÉ-IM to review its infrastructure related reference material.</p> <p>IÉ-IM should review the accessibility of all critical safety information relating to infrastructure constraints on the network so as to ensure it is accessible and easily interrogated by all relevant stakeholders.</p>	3 months	IÉ-IM
21/15-PII-AR 3	<p>IÉ-IM to review the detail published in the Weekly Circular relating to Ad Hoc / non-timetabled train movements.</p> <p>IÉ-IM should critically review the level of detail provided in weekly circulars pertaining to Ad Hoc or non-timetabled train movements.</p>	1 Month	IÉ-IM

21/15-PII-AR 4	<p>IÉ-IM to review train planning resource</p> <p>Given Findings 1, 6 & 7, IÉ-IM should address its deficiency for executing the function of capacity allocation and train pathing. In particular IÉ-IM should take into account:</p> <ol style="list-style-type: none"> 1. Training & Competence, including the need for Job Description, and the requirement for a Safety Responsibility Statement, and; 2. Resources to ensure business continuity. 	3 Months	IÉ-IM
21/15-PII-AR 5	<p>RPSI should expedite their finalising of RPSI SMS Standard 9.6.34</p> <p>The RPSI, with the required assistance from IÉ-IM, should expedite their development and finalisation of RPSI SMS Standard 9.6.34.</p>	2 Months	RPSI
21/15-PII-AR 6	<p>Minimise the introduction of unnecessary risk</p> <p>Iarnród Éireann should develop guidance / rules to ensure that commercial considerations do not override safety requirements and introduce unnecessary risk.</p>	3 Months	Iarnród Éireann
21/15-PII-AR 7	<p>IÉ-IM should review the application of their risk assessment processes</p> <p>IÉ-IM should review their risk assessment process for 'ad hoc' requests for infrastructure capacity to ensure personnel reviewing such applications or those applying for a train path are prompted to consider the effects on 3rd party interfaces.</p>	3 Months	IÉ-IM
21/15-PII-AR 8	<p>RPSI should review the application of their risk assessment processes</p> <p>The RPSI should review their risk assessment process for 'ad hoc' requests for infrastructure capacity to ensure those applying for a train path are prompted to consider the effects on 3rd party interfaces.</p>	3 Months	RPSI

Table 3: Inspection outcome summary

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Glossary of Terms

IÉ-IM	Iarnród Éireann Infrastructure Manager
IÉ-RU	Iarnród Éireann Railway Undertaking
RPSI	Railway Preservation Society of Ireland
RSC	Railway Safety Commission
S.I.	Statutory Instrument
SMS	Safety Management System

1 Key Facts about the Incident

8. On the 7th of November 2014, a Railway Preservation Society of Ireland (RPSI) special service was permitted to run as a planned out of normal operation on the Midleton line.
9. The planned out of normal operation gave rise to:
 1. The train consist being too long for the platform infrastructure at Midleton, resulting in a number of coaches being off the platform
 2. The train consist being too long for the signalling system in Midleton, resulting in the level crossing barriers located adjacent to Midleton Station being continuously closed across the road for c.25 minutes.
 3. Trains being authorised to pass signals at danger, and points being manually operated.
 4. The unnecessary exposure of persons to additional risks.

2 Purpose of the Post Incident Inspection

10. The Railway Safety Commission (RSC) in complying with its statutory duty to regulate railway safety is concerned with any occurrence which could, in slightly different circumstances, result in harm. It is not the primary role of the RSC to determine the cause of an accident or incident — that responsibility rests with the Railway Accident Investigation Unit (RAIU) — but to identify whether an occurrence resulted from a duty holder's failure to comply with its approved Safety Management System (SMS).
11. The RPSI were permitted to run a special service as an out of normal operation on the Midleton line. The service operated was too long for both the platform and the signalling system at Midleton Station. This Post Incident Inspection (PII) has focused on determining how the event was planned and how the 'out of normal' operation was permitted to take place.
12. The result of the out of normal operation led to a number of carriages being off the platform, thereby introducing unnecessary risk to the safety of passengers. Additionally, the fact that the Mill Road level crossing barriers remained continuously closed for c.25 minutes impacted on road vehicle users in a negative way. It is because of the additional risks introduced as a consequence of the RPSI service being permitted to operate that the RSC decided to undertake a Post Incident Inspection in accordance with the provisions of the Railway Safety Act 2005, and S.I. No. 444 of 2013.
13. This PII is undertaken in accordance with RSC guidance documentation (RSC-G-023-C Guidance on the RSC's Supervision Activities).

3 Background

3.1 Infrastructure

14. The Youghal branch ceased to operate in 1981, but the section from Glounthaune to Midleton reopened for passenger traffic on the 30th July 2009. The reopened line was designed to accommodate a 4 car DMU service, with the line operating 2-car DMU consist train sets delivering a half hourly service initially. The line is currently operating at its design capacity of a quarterly hour service during peak hours [Ref: B.00.07].
15. Platforms were designed and constructed to accommodate 4 car DMU train consists, and are 90 metres in length as defined in the 2014 Iarnród Éireann Network Statement (applicable at the time of the occurrence) [Ref: B.00.01]. Furthermore, the track layout is not designed for locomotive hauled train operations as a “run-around” facility is not provided, see figure 1 below.
16. The indicative signalling layout of Midleton station is depicted in figure 1 below:

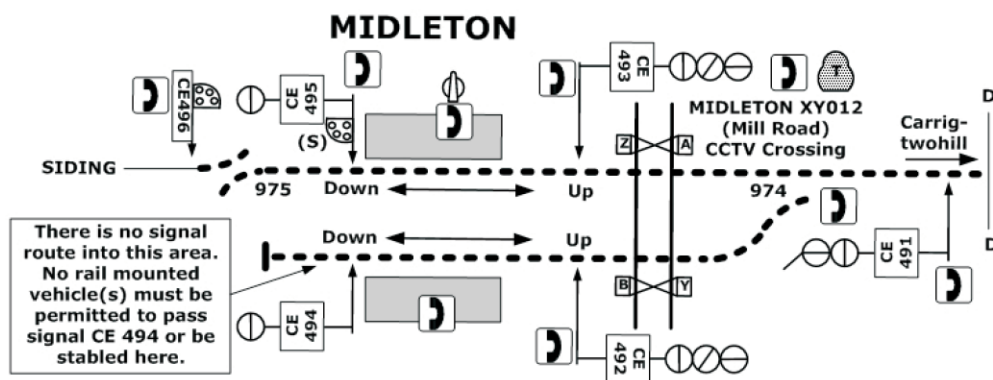


Figure 1: Extract from Weekly Circular No.3356 - Midleton Station Layout [Ref: B.00.10]

17. The distances between the signals depicted in figure 1 above are set out in the table below. The implications of the standing room between signals will be discussed in greater detail in later sections of the report.

Station	From / Between	To / And	Meters	Yards
Midleton	494	492	145	133
	495	493	145	133
	Siding Buffer Stop	496	208	190
Glounthaune	480	GE 4	439	400
	GE 4	GE 5	434	396

Table 4: Extract from Weekly Circular No.3356 - Distance between signals [Ref: B.00.10]

18. The above table is an extract from Weekly Circular (an IÉ-IM internal train planning publication circulated to all interested parties) No. 3356 of week ending 5th July 2009. The contents of which raises concern given the accuracy of information contained therein, i.e., the

measurements in metres and yards do not equate. The weekly circular is the primary reference document used by all RU's operating on the rail network, IÉ-IM track maintenance personnel, and those undertaking capacity allocation activity. The fact that a relatively simple but important table contains inaccurate information is of concern.

3.2 Capacity Allocation process

19. **Note:** at the time of the incident S.I. 55 of 2010¹ [Ref: B.00.04] and the 2015 Iarnród Éireann Network Statement were applicable to the process of capacity allocation (referred to in latter sections of the report as the Network Statement) [Ref: B.00.01].

20. According to both S.I. 55 of 2010 and the Iarnród Éireann Network statement, a formal process for the application of capacity should be in place. From an interrogation of the Network Statement, the following process map represents steps in the application for, and allocation of capacity.

21.

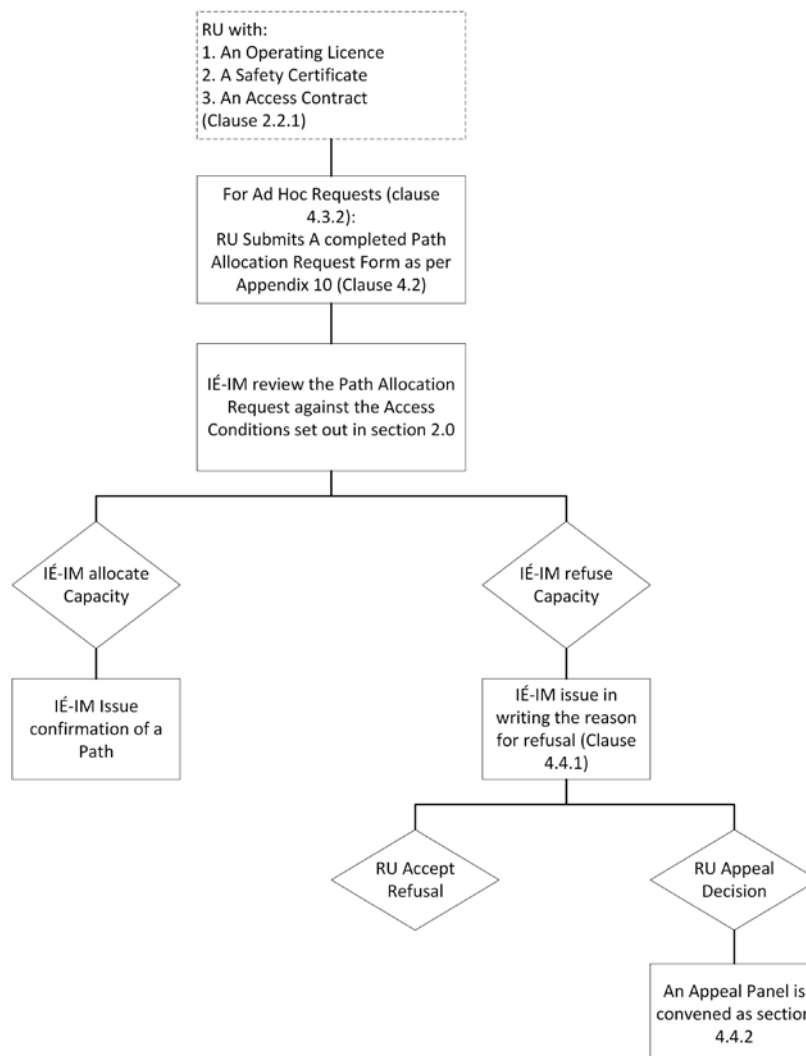


Figure 2: Capacity Allocation Process Map based on Network Statement [Ref: B.00.05]

22. The application of the above process will be discussed in greater detail in subsequent sections

¹ S.I. 55 of 2010 has been revoked by S.I. 249 of 2015.

of the report.

3.3 Previous similar Capacity Allocation requests

23. From evidence submitted, it is clear that the RPSI applied to operate a 7 carriage train, plus generator van hauled by a 071 locomotive on the Midleton Branch in 2013, the details of which are as follows [Ref: B.01.03]:

24.

Request Date:	25 th June 2013
Requested Route:	Dublin Heuston to Cork, Midleton & Cobh
Date of Travel:	20 th July 2013

Table 5: June 2013 Capacity Allocation request details

25. IÉ-RU (in their role as the RPSI's agent) identified the infrastructure and signalling constraints at Midleton Station, as set out in the Weekly Circular 3356 of the week ending 05.07.2009 [Ref: B.00.10]. This stated that the standing room between signals for both platforms in Midleton was 145m thereby requiring a shorter consist to operate. IÉ-RU communicated the constraints to the RPSI and suggested operating an alternative consist of five carriages (Cravens) and a Generator Van. The service was subsequently operated by the RPSI as the suggested consist.

4 The Out of Normal Operation Event

4.1 Parties Involved

26. By way of background on the structure of heavy rail in Ireland, EU Directive 2012/34/EU (combined recast of Directive 91/440/EEC, Directive 95/18/EC, and Directive 2001/14/EC) reiterates the need for a distinction between the operation of railway infrastructure and the provision of rail transport services in order to ensure the future development and efficient operation of the railway system. To comply with this requirement, Iarnród Éireann (IÉ) was restructured into two separate business divisions with effect from 25th March 2013; Iarnród Éireann Infrastructure Manager (IÉ-IM) and Iarnród Éireann Railway Undertaking (IÉ-RU).
27. In Iarnród Éireann's "Application for Safety Validation of Organisational Change" dated in early 2013 [Ref: EU-SVP-PP], it was confirmed that the organisational structures to be implemented would assign the following responsibilities to the two IÉ business divisions:
- *Clause 2.1.6.1:* That the (IÉ) IM is fully accountable and independent in its decision making and has responsibility for establishing, managing and maintaining railway infrastructure, including traffic management, control command and signalling.
 - *Clause 2.1.6.2:* That the (IÉ) RU is fully accountable and independent in its decision making and has responsibility for the principal business of providing services for the transport of goods and / or passengers by rail.
28. Package 5 of the Safety Validation Package detailed the requirements of splitting the existing central Operations Train Planning department into a Capacity Allocation Department within IÉ-IM and a Timetable Planning department within IÉ-RU.

4.1.1 Iarnród Éireann Infrastructure Manager (IÉ-IM)

29. IÉ-IM is the infrastructure manager business unit of Iarnród Éireann charged with:
- Managing and maintaining railway infrastructure to include:
 - Track and Structures
 - Traffic Management
 - Control Command
 - Signalling

4.1.2 Railway Preservation Society of Ireland (RPSI)

30. The RPSI are a railway undertaking operating on the Iarnród Éireann network in Ireland. They own and operate steam and diesel heritage trains and the organisation is run by, principally, volunteer staff. The RPSI have a Safety Management System that conforms to EU requirements and have been issued with Safety Certificates by the RSC.

31. At the time of the operation however they were not in possession a license issued by the Department for Transport Tourism and Sport (DTTAS) or a Track Access contract with the IÉ-IM (Refer to paragraph 62 for further detail on the requirement for the RPSI to hold a licence).

4.1.3 Iarnród Éireann Railway Undertaking (IÉ-RU)

32. IÉ-RU are the primary railway undertaking on the Iarnród Éireann network, whilst also acting as an agent for the RPSI. IÉ-RU have an SMS in place that conforms to EU requirements and the associated Safety Certificates. IÉ-RU are also holders of a license issued by the DTTAS at the time of the operation.
33. IÉ-RU are engaged to act as an agent for the RPSI, providing an experienced point of contact for capacity allocation, train path requests, and the arranging of train crew requirements.

4.2 Event planning

34. This section details the chronology of the events leading up to the day of operation on the 7th of November 2014.
35. 16th Oct 2014: The RPSI informed IÉ-RU of a chartered heritage train set as part of the Web Summit taking part in Dublin. The RPSI requested, through their agent, IÉ-RU, train paths for the 7th of November 2014 to operate from Dublin Connolly to Midleton. IÉ-RU were informed that the train would consist of seven Craven carriages, a Generator Van, and be hauled by a 071 class locomotive.
36. 17th - 21st Oct 2014: Various communications discussing logistics.
37. 22nd Oct 2014: Draft paths communicated to the RPSI for comment.
38. 29th Oct 2014: Train paths confirmed and published in Weekly Circular No. 3635².
39. 5th Nov 2014: IÉ-IM Safety Department became aware that the proposed train consist was incompatible with the signalling layout in Midleton due to its length i.e. 7 Carriages, a Generator Van and a locomotive. IÉ-IM Safety Department personnel examined options to plan for degraded working in order to facilitate the movement. Two options were identified:
- **Option 1:** The train is authorised to pass the Mill Road Level Crossing protecting signal, at danger, blocking the crossing until passengers have detrained, and then proceed to the siding.
 - **Option 2:** Signal the train normally over the level crossing into the platform, detrain and then have the points manually

² Note: Train consist was not detailed in the Weekly Circular

wound, scotched and clipped to allow the empty train into the sidings³.

Following a review of the two options, IÉ-IM Safety recommended that either the train be reduced in length, or terminated in Cork, where there is a longer platform capable of hosting the proposed train.

This was based on the fact that neither of the two options avoided 'planned degraded working'.

This was communicated accordingly to IÉ-RU, the RPSI's agent.

40. 6th Nov 2014:

On the 6th of November 2014, it was deemed that curtailing the service, in any way, was a potential risk to the company in terms of corporate image given the scale of the event (Web Summit), and the decision was made by the IÉ-IM to permit the operation of the service in its original configuration. This decision was largely based on:

- protecting the company's corporate image given the RPSI's request had been issued some 20 days previously,
- due to the high international profile of the event and passengers (Web Summit).
- the fact that the train was already fully booked.
- IÉ-IM's contention that the additional risks could be controlled to a tolerable level.

41. Subsequent to the decision to operate the service in its original configuration, IÉ-IM determined that option 2, as set out above, was the "least worst" option.

³ Whilst not explicit, there is a general operating principle prohibiting laden (loaded) passenger trains from entering sidings.

4.3 Out of Normal Operation

42. In Weekly Circular 3635 (Week ending 9th November 2014), the following running notices were published detailing the paths prepared for the RPSI chartered service.

43. **Outbound**

TRAIN I.D. : TRAIN TYPE :	Spl. 4 B220 RPSI Cravens		R230 L.E.	
	Arr.	Dep.	Arr.	Dep.
DUBLIN Connolly	(A)	10.55		
Glasnevin Jctn.		11.02		
Islandbridge Jctn.		11.09		
Inchicore	DOWN	11.12½		
Hazelhatch	FAST	11.21		
Sallins		11.27½		
Newbridge		11.34		
Kildare		11.38½		
Cherryville Jctn.		11.40½		
Monasterevin		11.44½		
Portarlinton		11.50		
Portlaoise		11.58½		
Ballybrophy		12.12½		
Lisduff		12.17½		
Templemore		12.22½		
Thurles		12.30		
Limerick Jctn.		12.50		
Charleville		13.13		
Mallow		13.28		
Rathpeacon		13.45½		
CORK	13.55	14.00		14.25
Littleisland		14.07		14.32
Glounthaune		14.09½		14.34½
Carrigtwohill		14.14½		14.38½
MIDLETON	14.21		14.45	(B)

Return Service

TRAIN I.D. : TRAIN TYPE :	Spl. 4 B221 RPSI Cravens		R231 L.E.	
	Arr.	Dep.	Arr.	Dep.
MIDLETON		15.10		15.23
Carrigtwohill		15.17		15.30
Glounthaune		15.22		15.35
Littleisland		15.24½		15.38
CORK	15.32½	15.47½	15.46	
Rathpeacon		15.56		
Mallow		16.13		
Charleville		16.25½		
Limerick Jctn.		16.48½		
Thurles		17.07½		
Templemore		17.14		
Lisduff		17.19		
Ballybrophy		17.25		
Portlaoise		17.39		
Portarlinton		17.49		
Monasterevin		17.54½		
Cherryville Jctn.		17.58½		
Kildare		18.01½		
Newbridge		18.07		
Sallins		18.13½		
Hazelhatch		18.21		
Inchicore	UP	18.21		
Islandbridge Jctn.	FAST	18.30		
Glasnevin Jctn.		18.32		
		18.38½		
DUBLIN Connolly	18.51	(C)		

Figure 3: Train Paths for RPSI Chartered service

44. The Infrastructure Manager Operations (IMO) Department arranged to have additional staff present on-site to oversee the operations on the day. Staff present included the Operations Control Manager, a District Traffic Executive (DTE), a Points Operator and a Shunter.

45. The train was scheduled to depart from Connolly at 10.55 hours (hrs), however, due to a delay in the arrival and boarding of passengers, the train departed for Cork some 15 minutes late. A scheduled stop was made at Cork in order to change drivers. A second locomotive was arranged to follow the RPSI special service in order to haul the train back from Midleton to Cork where it would stable temporarily. This was required due to the fact that there is no run around facility at Midleton.

46. The RPSI service arrived in Midleton at c. 14.30 hrs. The train travelled over the Mill Road level crossing into the platform. Points 975 were secured to allow the train to be shunted into the yard once passengers disembarked. A number of carriages were off the platform, given that its length was greater than the platform, requiring RPSI officials to act as door marshals to prevent the doors being opened, and directing passengers accordingly. When all passengers had alighted from the train, IÉ-IM staff requested the RPSI staff vacate the train so that it could be shunted into the siding. Meanwhile, the level crossing barriers remained lowered (down across the road) continuously for c. 25 minutes. During the inspection activity, interviewees could not confirm whether or not the emergency services or local authority had been consulted about the operation. Post inspection activity, evidence was supplied to the inspection team which

demonstrates that the Local Crossing Control Centre Mallow was contacted by IÉ-IM management and instructed to contact the Gardaí circa 20 minutes before the train was due to arrive in Midleton, stating that the train was en route, and that diversions might be required for 10 – 15 minutes [B.01.11].

47. Once in the siding, the light engine (following locomotive) arrived in Midleton Yard under normal signalling. The shunter carried out all the necessary coupling and uncoupling and brake testing in the yard. The train received a shunt signal back into Platform no.1 and stopped to pick up RPSI staff and passengers. The train then travelled back to Cork as planned.

5 The Post Incident Inspection

5.1 Sources of evidence

48. Evidence reviewed as part of this PII included:
- I. The 2014 network Statement
 - II. S.I. 55 of 2010
 - III. IÉ-IM SMS standards (And Subordinate standards)
 - IV. RPSI SMS standards
 - V. Capacity Allocation Request Documentation
 - VI. Capacity Allocation Approval Documentation
 - VII. Statements from representatives present on the 7th of November 2014

5.2 Summary of evidence obtained during interview

49. An additional source of evidence was interviews with a number of personnel from various Duty Holders, namely IÉ-IM, IÉ-RU and the RPSI (see Appendix B). The specific post holders interviewed are listed below.

- IÉ-RU Train Planning & Performance Manager
- IÉ-IM Procedures Manager
- IÉ-RU Senior Train Planning & Performance executive
- RPSI – Chairman
- RPSI – Safety Officer South
- IÉ-IM, Director IÉ-IM
- IÉ-IM, Head of Safety IÉ-IM
- IÉ-IM, CTC Manager
- IÉ-IM Train Performance & Capacity Allocation Manager
- IÉ Chief Executive Officer

6 Analysis, findings & outcomes

50. Based upon the above known sequence of events, facts, evidence and analysis a number of findings are now presented. From the findings identified as part of this inspection a number of inspection outcomes have been decided. These outcomes are in accordance with the RSC's guidance on supervision and enforcement, RSC-G-023-C, but for convenience they are explained below. Where possible, they are made specific, measurable, achievable, realistic and time-bound (SMART). The supervision activity outcomes are classified as follows;

- 51.
- **Major Non Compliance (MaNC):** an area of non-compliance with an IÉ internal standard, an applicable external standard, or legislation that is evidence of a system failure.
 - **Minor Non Compliance (miNC):** an area of non-compliance with IÉ internal standard, an applicable external standard, or legislation that is evidence of a sporadic lapse in implementation of a system or deviation from a system.
 - **Action Required (AR):** an area where potential exists for a non-compliance to occur unless remedial action is taken or improvement is made, an isolated error that requires correction, or some other issue where, in the opinion of the Inspector action is necessary.
 - **Scope for improvement (SFI):** an area highlighted where, in the opinion of the Inspector, system or business improvement can be achieved by the company. Typically this is phrased as a recommendation, the merits and implementation of which should be decided by organisation in question.

52. The format in which outcomes are made are shown thus;

<p>21/15-PII-AR X - "unique supervision activity number for the year"/"year"-“supervision activity”-“counter with prefix MaNC, miNC, AR or Sfi”</p> <p>Title (High level descriptor of identified issue)</p> <p>Detail as required</p> <p>PCD: (Planned completion date only specified for an 'Action Required' item)</p> <p>Outcome Owner: Duty Holder Responsible for addressing the outcome</p>

Table 6: Recommendation Format

6.1 Evidence references

53. As is common practice when auditing, auditors are expected to seek evidence whenever possible to verify statements made by interviewees, to confirm that an activity has taken place or to demonstrate a procedure/standard exists and has been followed. This is no different for RSC Inspectors when conducting a Post Incident Inspection (PII).

54. Contained within this report references are made to items of documentary evidence received

through the course of this PII. Such references are shown in square brackets with letter 'B' prefix, followed by a number e.g., [Ref: B.02.08]. Each submitted package of evidence and interviewee has been assigned a unique number from 1 to 11. For example the Director Infrastructure Manager (Dir. IM) might be number 3. Thus documentary evidence supplied by the Dir. IM would be numbered B.03.01, B.03.02 etc. with each individual piece of evidence having its own unique number.

55. This methodology aids traceability and enables the RSC to clearly link findings and outcomes to items of evidence.

6.2 Findings & Outcomes

6.2.1 Organisational Capability

56. As highlighted in section 4.1 above, Iarnród Éireann underwent a functional split into two business units in March 2013, forming Iarnród Éireann Infrastructure Manager (IÉ-IM), and Iarnród Éireann Railway Undertaking (IÉ-RU). According to the supporting 'Safety Validation of organisational change' documentation [Ref: B.00.11], the following is the key change relating to train planning and capacity allocation:

- The existing Operations Train Planning department is split into two departments. A capacity allocation department which reports to the Operations & Control Manager within IÉ-IM and a Train Planning Dept. which reports to the Passenger Services Manager North and East within IÉ-RU.

57. Following the functional split, the IÉ-IM were required to encompass the newly established Infrastructure Manager Operations Department (IMO) (formerly Operations Performance and Control (OPC) Department) within its Safety Management System (SMS). The IMO SMS forms a subset of the IÉ-IM SMS. The organisation (departmental) structure of the IMO department is set out below [Ref: IMO-SMS-001, section 4.4.1]:

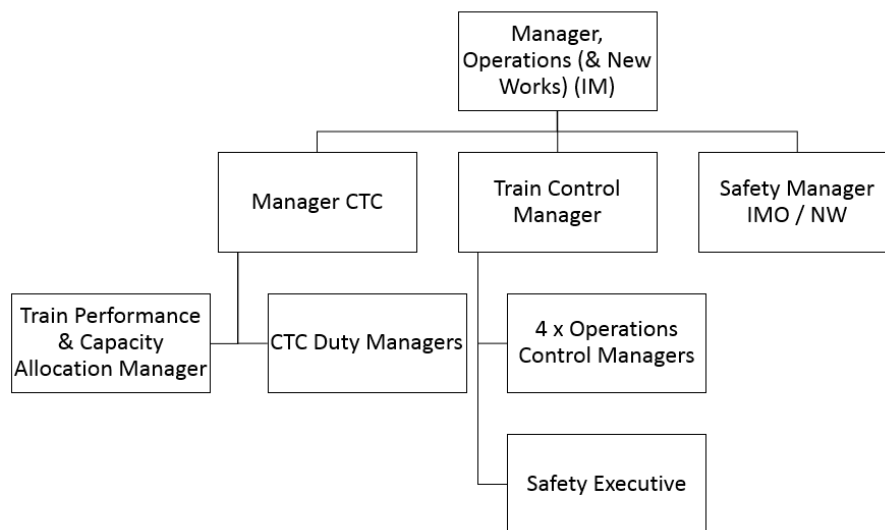


Figure 4: IMO Department Structure

58. Section 4.15 of IMO-SMS-001 sets out the roles and responsibilities of the Train Performance and Capacity Allocation Manager, which includes the production of the working timetable and pathing for planned train movements and related documentation. During the course of this inspection activity, it became evident that:

1. Whilst a Train Performance & Capacity Allocation Manager has been appointed, the function of the role is predominantly focused on the Train performance aspect.
2. IÉ-IM were non-compliant with a number of elements of section 4.15 of the IMO-SMS-001, that include:
 - a. Ensuring the planning of train services and other train / vehicle movements

- are carried out in accordance with the IM's rules and regulations (4.15.1)
 - b. the planning / pathing of planned train movements (4.15.2), and
 - c. the development of the weekly circular (4.15.4).
3. IÉ-IM do not fulfil the function of capacity allocation in compliance with Section 4 of the Network Statement.
 4. IÉ-RU still provide significant input and resource to the process of capacity allocation on the IÉ-IM network, in addition to the production of the weekly circular.

59. **Finding 1:** IÉ-IM are not fulfilling the role of capacity allocation as set out in IMO-SMS-001.

21/15-PII-MaNC 1: Non Compliance with IMO-SMS-001 Section 4.15, and the Network Statement section 4.

IÉ-IM, does not fulfil all the functions set out in IMO-SMS-001 such as the development of the weekly circular, and the allocation of capacity.

Outcome owner: IÉ-IM

60. The above finding indicates issues with Iarnród Éireann's planning for and implementation of the organisational change, i.e., the functional separation into two business units. In particular there are shortcomings within the IM in terms of its staffing and competency in relation to capacity allocation. The transposition of EU Directive 2012/34 by S.I. 249 of 2015 will inevitably introduce risk of non-compliance with the requirements of the aforementioned directive , with the establishment of:
1. An Essential Functions Body
 2. The Independent Monitoring Body
 3. The Licencing Authority
 4. The Regulatory Body.

6.2.2 Capacity Allocation Process

61. The process defined in the Network Statement, and as required by S.I. 55 of 2010 (Applicable at the time of the Out of Normal Operation) is set out in section 3.2 above.
62. According to the Network Statement, and in order to operate or seek to operate on the Iarnród Éireann Infrastructure, a Railway Undertaking requires:
1. An operating licence – RPSI were not required to be in possession of an Operating Licence at the time of the event (Note: Prior to the transposition of EU Directive 34/2012, train services of a historic or tourist nature were exempt from the requirement to hold a licence. However in accordance with Part 4 of S.I. 249 of 2015, all RU's accessing the IÉ network will now be required to hold a valid licence, issued by the Licensing Authority).
 2. A Safety Certificate – A Safety Certificate is issued by the RSC following the successful delivery of a Safety Management System that is assessed and deemed to conform to a common set of EU requirements. At the time of the operation RPSI were in possession and are currently in possession of Safety Certificates valid from the 19/12/2014 until

18/12/2019, which replaced their previous Safety Certificates issued on the 1st of July 2011.

3. An access contract – A contractual agreement between Iarnród Éireann and a Railway Undertaking. To date, access contracts have not been put in place, with the access contract with IÉ-RU in development at the time of this PII activity.
63. An access contract is the underpinning requirement, as within the access contract, specific rules of operation can be defined. As this is the responsibility of IÉ-IM to put an access contract in place, there is now an onus on IÉ-IM to develop and introduce access contracts accordingly.
64. **Finding 2:** IÉ-IM have neither developed nor implemented access contracts with RU's.

21/15-PII-miNC 1: Non Compliance with Network Statement Section 2.3.2

IÉ-IM, does not fulfil all the functions set out in the Network Statement section 2.3.2 in the development and implementation of access contracts

Outcome owner: IÉ-IM

65. **Post PII Note:** While miNC 1 above could be considered a systemic failure, and therefore a Major Non-Compliance, it is acknowledged by the RSC that IÉ-IM had identified the lack of an operational access contract regime, and were taking steps to ensure compliance.
66. The capacity application process, and subsequent capacity allocation is detailed in the previous sections, and specified in the Network Statement. The process detailed indicates a formalised process in place, with requests for capacity formally submitted in writing to IÉ-IM. From the evidence reviewed as part of the PII activity, it is clear that in practice, the capacity allocation process is in fact informal in nature. In the case of the application for the RPSI service on 7th of November 2014, much of the correspondence is undertaken informally by email, with phone calls seemingly utilised to further develop the application. The fact there is an informal approach taken to this activity is considered a contributing factor to the length of the train, and associated implications of this not being identified from the outset, as was the case in 2013.
67. It is the responsibility of IÉ-IM to develop and implement the formalised process for all Railway Undertakings operating in the State to follow, and to communicate and enforce the process. It is acknowledged by the RSC Inspectors undertaking this PII that steps have been taken to improve the process during the course of the inspection, a summary of which is below:
- IÉ-RU Train Path Allocation request form [Ref: B.11.01]. The RU have developed a form to formalise their role as agent to the RPSI.
 - IÉ-IM Capacity Application request form [Ref: B.08.01]. The IM have also developed a form to formalise “Ad Hoc” capacity applications.
68. Additionally, IÉ-IM have developed a Capacity Allocation Plan Rev 2 [Rev: B.08.02], identifying the organisational shortfalls, and identifying steps to rectify these.

69. **Finding 3:** The process of managing network access applications and subsequent capacity allocation is informal in its delivery.

21/15-PII-AR 1 IÉ-IM to review & formalise the capacity allocation process

IÉ-IM should critically review the process of capacity allocation, from request through to allocation, to ensure the system is robust, consistent and traceable.

As part of this review, stakeholders should be consulted and kept informed in accordance with EU Regulation No. 1169/2010 Annex II, Criteria U and S.I. No. 249 of 2015.

PCD: 3 Months

Outcome Owner: IÉ-IM

70. During the evidence review stage, a number of abnormalities were identified in the Network Statement. Appendix 1C of the network statement states that the platform lengths at Midleton are 90m in length, however, in appendix 1D, the network statement indicates that Midleton does not have short platforms. The RSC is of the opinion that this information was contradictory, to a certain extent, and could lead to confusion.
71. Post interview activity, it was confirmed that abnormalities identified in paragraph 70 had been amended in the 2016 Network Statement published on the Irish Rail website, so as to remove any ambiguity. The inspection team reviewed the updated network statement to ensure the potential for confusion identified had been addressed, and are satisfied that it has.
72. With the introduction of change to infrastructure, or the introduction of new infrastructure assets, details of the change are issued through the 'Weekly Circular' publication to inform staff and others, e.g., other RUs (refer to section 3.1.). The issuance of the weekly circular then forms the depository of route capability or route clearance data, albeit a dispersed one. As this information is an integral reference library of infrastructure capability, it is of the utmost importance that it be a consolidated reference library which can be easily interrogated. This would ensure that those responsible for the development of train paths and associated capacity allocation have an accessible reference library to ensure services are duly planned taking into account infrastructure constraints.
73. Given the fact that information published in the weekly circular contains inaccuracies (refer to paragraph 18 above), the importance of formalising and verifying the infrastructure technical constraints is of the utmost importance.
74. During the course of the PII, RSC Inspectors were informed that a Route Clearance Standard was being developed, a draft version of which was supplied. This Standard is being introduced to manage the assessment of compatibility between infrastructure and rolling stock [B.07.03].

75. **Finding 4:** At present, there is a lack of a consolidated database detailing infrastructure constraints which is easily interrogated.

21/15-PII-AR 2 IÉ-IM to review its infrastructure related reference material.

IÉ-IM should review the accessibility of all critical safety information relating to infrastructure constraints on the network so as to ensure it is accessible and easily interrogated by all relevant stakeholders.

PCD: 3 Months

Outcome Owner: IÉ-IM

76. Clause 4.6.9.2. of IM-SMS-001 defines the weekly circular as follows:

The Weekly Circular is used to communicate immediate changes to the Rules and Regulations, manuals and operating instructions and to advise of changes to be carried out to infrastructure, such as track and signalling alterations. Routinely, the weekly circular provides the following advance information for each week.

77. The Infrastructure Manager Operations (IMO) departmental SMS places the responsibility on the publication and circulation of the weekly circular firmly on the IMO department [Ref: IMO-SMS-001, Clause 4.15.4], however, finding 1 above has identified an anomaly with this element. Additionally, an Action Required item was raised in an audit carried out by the RSC on IÉ-RU in quarter 1 of 2015. The text of the outcome is provided below for information:

01/15-A-AR 2 IÉ-RU to clarify Weekly Circular production roles & responsibilities
IÉ-RU (with input from the IÉ-IM as necessary) should seek to clarify and formalise the ownership of the weekly circular, along with clear identification of roles and responsibilities.

78. In relation to the out of normal operation incident in question, the extract from the weekly circular is depicted in section 4.3 above. Whilst the weekly circular extract details the train movements, and the vehicle types (i.e. Cravens), it does not specify the train consist i.e. number of carriages, etc. Had this information been stated in the Weekly Circular, the initial human error providing the path could have been identified, and the issue addressed in a timely manner. As the general train consists are provided in the Working Timetable, the same approach should be applied to Ad Hoc or non-timetabled train movements. By doing so, an additional layer of protection is introduced.

79. **Finding 5:** The weekly circular does not provide all relevant required information for Ad Hoc / non-timetabled train movements.

21/15-PII-AR 3 IÉ-IM to review the detail published in the Weekly Circular relating to Ad Hoc / non-timetabled train movements.

IÉ-IM should critically review the level of detail provided in weekly circulars pertaining to Ad Hoc or non-timetabled train movements.

PCD: 1 Month

Outcome Owner: IÉ-IM

80. As part of the functional split in 2013, the train planning and performance office was notionally divided between IÉ-IM and the IÉ-RU as set out below:
- 4 staff allocated to the IM.
 - 6-7 staff allocated to the RU.
81. In identifying MaNC 1 (Finding 1) at an early stage in the PII process, the inspection team questioned whether the IÉ-IM had sufficient competence and resource to undertake activities assigned to the business unit, in both its network statement and SMS. It was indicated, that as currently structured, IÉ-RU retains the majority of competence for undertaking capacity allocation activities.
82. At the time of the planned out of normal operation, the process of capacity allocation and train pathing was undertaken by IÉ-RU staff, with IÉ-IM staff undertaking a high level check against possessions and Temporary Speed Restrictions (TSR). The capacity allocation and train pathing function is largely fulfilled by a single individual in the IÉ-RU. It was not clear if sufficient additional competence was available to ensure business continuity in this potentially safety critical role, or to provide sufficient challenge or checking. Training for the role of train pathing (as currently undertaken by the IÉ-RU) appears to largely be “on the job”, and principally centred on the application of the pathing software. It was not clear what capability the IÉ-IM had to either undertake the function, or challenge decisions (as identified in Finding 1 above).
83. Section 93 (1) of the Railway Safety Act 2005, defines a safety critical task as:
- i. driving a train, or in any other way controlling or affecting the movement of a train;*
 - ii. controlling, affecting or managing, the movement of persons on a train, on a platform, across a level crossing, or, the boarding of, or alighting from, a train of persons, or;*
 - iii. working in a maintenance capacity (as defined in subsection (2) or as a supervisor of, or look-out for, persons working in such capacity.*
84. In relation to Section 93 (1)(ii) above, and under the current arrangements for planning ad hoc and non-timetabled train movements, those assessing track capacity requests, and issuing train paths could be considered to be making decisions that impact on the movement of persons boarding or alighting from a train. In such circumstances those decisions have a direct

bearing on safety of persons.

85. **Finding 6:** The role of capacity allocation and train pathing is largely experience based, with a potential lack of competent resource to ensure business continuity.
86. **Finding 7:** The apparent absence of a competent peer review prior to agreement and publication of the weekly circular has the potential to impact on the safety of persons.

21/15-PII-AR 4 IÉ-IM to review train planning resource

Given Findings 1, 6 & 7, IÉ-IM should address its deficiency for executing the function of capacity allocation and train pathing. In particular IÉ-IM should take into account:

1. Training & Competence, including the need for Job Description, and the requirement for a Safety Responsibility Statement, and;
2. Resources to ensure business continuity.

PCD: 3 Months

Outcome Owner: IÉ-IM

87. As stated in paragraph 62, the RPSI are currently in possession of a Safety Certificate from the RSC valid from the 19/12/2014 until 18/12/2019. During the RSC SMS assessment activity, it was identified that the RPSI SMS standard 9.6.34 “Operations on IE Infrastructure” was incomplete, which is still the case. An agreement was made to have the standard complete by June 2015.
88. It was indicated during the course of the inspection that the RPSI are awaiting the submission of information from IÉ-IM, and the subsequent agreement of conditions. The RPSI acknowledge within this document that “RPSI trains have to operate to a set of procedures, limitations and routes set down by the Infrastructure Manager IÉ”. A number of standard sections still contain RPSI proposals, and as such require finalisation. As this standard will set out the conditions of operation for RPSI trains on the IÉ network, it is imperative that the finalisation of the standard is expedited.
89. **Finding 8:** RPSI SMS standard 9.6.34 “Operation on IÉ Infrastructure” is not complete.

21/15-PII-AR 5 RPSI should expedite their finalising of RPSI SMS Standard 9.6.34

The RPSI, with the required assistance from IÉ-IM, should expedite their development and finalisation of RPSI SMS Standard 9.6.34.

PCD: 2 Months

Outcome Owner: RPSI

6.2.3 Event Planning

90. The decision to operate the original consist, resulted in a planned out of normal operation. When the IÉ-IM Safety Department became aware of the proposed service on 5th November 2014, and following a review of potential options to facilitate the service, they deemed the service to fall outside of what should be permitted. As stated in section 4.2 above, there were two possible methods of degraded operation, namely:
- **Option 1:** The train is talked passed the signal at danger over the level crossing, blocking the crossing until detrained, and then proceed to the siding.
 - **Option 2:** Signal the laden passenger train normally over the level crossing into the platform, detrain and then have the points manually wound, scotched and clipped to allow the empty train into the sidings.
91. Following their review of the two options, the IÉ-IM Safety Department recommended that either the train be reduced in length, or terminated in Cork, where there is a longer platform capable of hosting the proposed train. This was based on the fact that neither of the two options avoided 'planned degraded working' and would introduce unnecessary risk. This was communicated accordingly to IÉ-RU, the RPSI's agent.
92. The recommendation of the IÉ-IM Safety Department was overruled and plans for degraded working of trains in and out of Midleton had to be developed. This meant that trains had to be talked passed signals at danger, and points had to be manually wound, scotched and clipped. IÉ-IM had to produce a special instruction at very short notice to facilitate this arrangement [Ref: B.01.05]. The regular passenger train was also affected, and had to be authorised to pass a signal at danger to complete its journey into Midleton as a result of the over-length special train. The arrangements in place also meant that the level crossing at Midleton was continuously closed across the public road for c. 25mins.
93. Within the IÉ-RU business unit, it was also pointed out to local District Management personnel, on the 6th of November 2014, the day before the service, that the arrangements for the RPSI special would result in an issue with detraining passengers and the operation at the level crossing at Midleton [Ref: B.03.04].
94. Whilst both options (see paragraph 90) identified by IÉ-IM Safety Department were technically feasible, they would introduce a degraded level of safety due to increased reliance on human intervention thereby introducing unnecessary risk. Such arrangements should not be permitted except in very exceptional circumstances. However, due to commercial considerations, Iarnród Éireann decided to permit the RPSI special service to operate as an over-length train in line with operating method described in Option 2.

95. **Finding 9:** The recommendation of the IÉ-IM Safety Department to either reduce the train length or terminate the service in Cork, was overruled.
96. **Finding 10:** Iarnród Éireann permitted a planned out of normal operation, introducing an increased potential for human error and risk to the safety of persons.

21/15-PII-AR 6 Minimise the introduction of unnecessary risk

Iarnród Éireann should develop guidance / rules to ensure that commercial considerations do not override safety requirements and introduce unnecessary risk.

PCD: 3 Months

Outcome Owner: Iarnród Éireann

97. Following the decision to operate the original consist, a more detailed risk assessment should have been undertaken in order to assess the potential implications. The RPSI were aware that the train was too long for the platform at Midleton, and had control measures in place to manage detraining of passengers [Ref: B.02.09]. However, an element which neither the RPSI, nor the IÉ-IM seemed to fully identify was the impact the service would have on the operation of the level crossing i.e. resulting in the level crossing being continuously closed across the road for c.25 minutes. During the course of the inspection activity, the RSC Inspectors queried whether the local authority, An Garda Síochána or emergency services had been contacted and informed of the implications of the service so as to put alternative measures in place, .e.g. diversions, etc. None of the Railway Organisations involved in this service were aware of any such communication. Post Inspection activity, evidence was supplied to the inspection team which demonstrates that the Local Crossing Control Centre Mallow was contacted by IÉ-IM management and instructed to contact the Gardaí circa 20 minutes before the train arrived in Midleton, stating the train was en route and that diversions might be required for 10 – 15 minutes. In the opinion of the Inspectors, this was not an output of the original planning or risk assessment processes, but rather a product of competent staff at a local level.
98. Under different circumstances, the affect this service had on the wider Midleton community could have been more serious, particularly if the movement of emergency services were impaired. Therefore the planning process for 'Ad Hoc' services needs to be more thorough when examining potential impacts. While it is acknowledged that it was not expected to have the level crossing gates lowered for so long, a detailed analysis may have identified the potential given the service and the time required for detraining of passengers. Whilst IÉ contend that the operation was risk assessed, when evidence was sought by the inspection team, IÉ-IM confirmed that the risk assessment was undocumented. The inspection team is of the opinion that subsequent events demonstrate that the risk assessment did not identify the impact of the operation in its totality.

99. **Finding 11:** The impact of the out of normal operations on the wider Midleton area was not identified or mitigated during the event planning period.

21/15-PII-AR 7 IÉ-IM should review the application of their risk assessment processes

IÉ-IM should review their risk assessment process for 'ad hoc' requests for infrastructure capacity to ensure personnel reviewing such applications or those applying for a train path are prompted to consider the effects on 3rd party interfaces.

PCD: 3 Months

21/15-PII-AR 8 RPSI should review the application of their risk assessment processes

The RPSI should review their risk assessment process for 'ad hoc' requests for infrastructure capacity to ensure those applying for a train path are prompted to consider the effects on 3rd party interfaces.

PCD: 3 Months

7 Summary of findings & outcomes

100. This post incident inspection has identified nine findings resulting in ten inspection outcomes.

They include;

- 1 Major Non-Compliance,
- 1 minor Non-Compliance, and
- 8 'Acton Required' items

101. The tables below summarise the inspection outcomes.

Number	Area	Outcome Owner
21/15-PII-MaNC 1	<p>Non Compliance with IMO-SMS-001 Section 4.15, and the Network Statement section 4.</p> <p>The IÉ-IM, does not fulfil all the functions set out in IMO-SMS-001 such as the development of the weekly circular, and the allocation of capacity.</p>	IÉ-IM

Table 7: Major Non-compliance summary

Number	Area	Outcome Owner
21/15-PII-miNC 1	<p>Non Compliance with Network Statement Section 2.3.2</p> <p>The IÉ-IM, does not fulfil all the functions set out in the Network Statement section 2.3.2 in the development and implementation of access contracts</p>	IÉ-IM

Table 8: Minor Non-compliance summary

Number	Area	PCD	Outcome Owner
21/15-PII-AR 1	<p>IÉ-IM to review & formalise the capacity allocation process</p> <p>IÉ-IM should critically review the process of capacity allocation, from request through to allocation, to ensure the system is robust, consistent and traceable.</p> <p>As part of this review, stakeholders should be consulted and kept informed in accordance with EU Regulation No. 1169/2010 Annex II, Criteria U and S.I. No. 249 of 2015.</p>	3 months	IÉ-IM
21/15-PII-AR 2	<p>IÉ-IM to review its infrastructure related reference material.</p> <p>IÉ-IM should review the accessibility of all critical safety information relating to infrastructure constraints on the network so as to ensure it is accessible and easily</p>	3 months	IÉ-IM

	interrogated by all relevant stakeholders.		
21/15-PII-AR 3	IÉ-IM to review the detail published in the Weekly Circular relating to Ad Hoc / non-timetabled train movements. IÉ-IM should critically review the level of detail provided in weekly circulars pertaining to Ad Hoc or non-timetabled train movements.	1 Month	IÉ-IM
21/15-PII-AR 4	IÉ-IM to review train planning resource Given Findings 1, 6 & 7, IÉ-IM should address its deficiency for executing the function of capacity allocation and train pathing. In particular IÉ-IM should take into account: 1. Training & Competence, including the need for Job Description, and the requirement for a Safety Responsibility Statement, and; 2. Resources to ensure business continuity.	3 Months	IÉ-IM
21/15-PII-AR 5	RPSI should expedite their finalising of RPSI SMS Standard 9.6.34 The RPSI, with the required assistance from IÉ-IM, should expedite their development and finalisation of RPSI SMS Standard 9.6.34.	2 Months	RPSI
21/15-PII-AR 6	Minimise the introduction of unnecessary risk Iarnród Éireann should develop guidance / rules to ensure that commercial considerations do not override safety requirements and introduce unnecessary risk.	3 Months	Iarnród Éireann
21/15-PII-AR 7	IÉ-IM should review the application of their risk assessment processes IÉ-IM should review their risk assessment process for 'ad hoc' requests for infrastructure capacity to ensure personnel reviewing such applications or those applying for a train path are prompted to consider the effects on 3rd party interfaces.	3 Months	IÉ-IM
21/15-PII-AR 8	RPSI should review the application of their risk assessment processes The RPSI should review their risk assessment process for 'ad hoc' requests for infrastructure capacity to ensure those applying for a train path are prompted to consider the effects on 3rd party interfaces.	3 Months	RPSI

Table 9: Inspection outcome summary

102. Had any harm to persons arisen as a result of the decision to permit this out of normal operation, Iarnród Éireann may have been exposed to proceedings under Railway Safety Legislation.

8 Relevant actions already taken or in progress

103. On the 19th August 2015, the RSC issued the “Draft for Comment” version of the report to IÉ-IM, IÉ-RU and the RPSI requesting comments and / or corrections to any factual inaccuracies contained therein, to be returned in the provided Document Review Record. This process also enables the relevant Railway Organisations to detail steps taken to address potential issues since the date of occurrence. The RSC did not receive the requested document review record from IÉ (IM or RU) by the due date, rather a chain of correspondence ensued as detailed in Appendix C: Timeline of inspection activity. As this is the case, the RSC has not been formally notified of steps taken to address shortcomings, other than those set out in the main body of the report.

9 Next Steps

104. Steps taken to address the findings in this report need to be cognisant of, and in accordance with S.I. No.249 of 2015. This does not remove any obligation on railway organisations to comply with the Railway Safety Act 2005 as amended, S.I. No.444 of 2013, or the railway organisations' own Safety Management Systems.
105. In accordance with section 76 of the Railway Safety Act, to ensure deficiencies in the process for controlling risks in relation to competency assessment, Iarnród Éireann – Infrastructure Manager (IÉ-IM) shall submit an Improvement Plan (Plan) to the RSC by a prescribed date. This plan should clearly define how it intends to rectify the SMS deficiencies (non-compliance) identified and provide a timescale for doing so. The RSC will review this submission and, subject to it being satisfactory, will track its implementation.
106. No non-compliance items have been raised against RPSI and Iarnród Éireann (IÉ) and are not required to submit an Improvement plan. However, Action Required outcomes have been identified against both railway organisations and remedial action is required. These outcomes are repeated in Section 7.

10 Appendix A: List of Interviewees:

Title	Organisation
Head of Safety, Infrastructure Manager	IÉ-IM
Director of Infrastructure Manager	IÉ-IM
Chairman, RPSI	RPSI
RPSI Safety Officer	RPSI
IM Procedures Manager	IÉ-IM
CTC Manager	IÉ-IM
Train Performance & Capacity Allocation Manager	IÉ-IM
Senior Train Planning and Performance Executive	IÉ-RU
Train Planning & Performance Manager	IÉ-RU
Iarnród Éireann Chief Executive Officer	IÉ

11 Appendix B: List of Evidence

Through the course of this inspection 10 interviews were conducted. Each one of these has been assigned a unique number from 2 to 12. Additionally, the information requested from both IÉ and the RPSI prior to conducting the inspection has also been assigned a unique number.

For example the IM Safety Manager might be number 4. Thus documentary evidence supplied by the IM Safety Manager would be numbered B.04.01, B.04.02 etc. with each individual piece of evidence having its own unique number.

The following is a list of all items of documentary evidence supplied to the RSC Inspectors during the course of this inspection.

- B.00.01 IE2015NetworkStatementm1.pdf"
- B.00.02 IM-SMS-016 V1.0 Live Communications Matrix.pdf"
- B.00.03 Railway Society Journal Article.pdf"
- B.00.04 S.I. 55 of 2010.pdf"
- B.00.05 Track Capacity Allocation.pdf"
- B.00.06 Photographs.docx"
- B.00.07 Working Time Table
- B.00.08 19.06.2009 Letter re NWA.pdf"
- B.00.09 05.07.09 Design Review.pdf"
- B.00.10 Supplement W.C. 3356, Midleto...pdf"
- B.00.11 IE-SMS-013 - SVP Application no 5 - Train Planning - ver 4.pdf"
- B.01.01 RPSI 2014 SMS.Ink"
- B.01.02 FW Web-Summit Train topr Midleton County Cork Friday 7th. November 2014..msg"
- B.01.03 Fwd Times for Cork tour.msg"
- B.01.04 RE 150326 ROR to IEIM RPSI Web Summit Charter 7th November 2014 (RFI).msg"
- B.01.05 Signal cabin Notice, RPSI web summit charter, Dublin Connolly to Midleton, Friday 7th November 2014.pdf"
- B.01.06 WC Extract.pdf"
- B.01.07 RPSI SMS 9.6.34 Operations on IÉ Infrastructure a.doc"
- B.01.08 RPSI SMS 1 Safety Policy Document a.pdf"
- B.01.09 RA SMS 2 4 A10013 Midleton Railway Train Station, County Cork.doc"
- B.01.10 Heritage Train Charter (Cravens) by Founders Events Ltd. Friday 7th. November 2014..msg"
- B.01.11 SM Ck East and OCM 07.11.14 Time14.17
- B.02.01 Correspondence 17 Oct 14 1144.pdf"
- B.02.02 Correspondence 17 Oct 2014 1157.pdf"
- B.02.03 Draft paths 27 Oct 14 1159.pdf"
- B.02.04 Midleton briefing.pdf"
- B.02.05 Midleton Marshal roster.pdf"
- B.02.06 Midleton pre-trip exam.pdf"
- B.02.07 Paths for Midleton 7 Nov 14.pdf"
- B.02.08 RPSI Paths 071114.pdf"
- B.02.09 RPSI RA A10013 Midleton.pdf"
- B.02.10 RPSI Response to RFI Midleton.pdf"

B.02.11 SMS 12 2 2 Train Operation Safety Report Midleton.pdf"
B.02.12 SMS and RA to IÉ 6 Nov 14.pdf"
B.03.01 Timeline of Events.pdf"
B.03.02 Interface meeting with all RUs.pdf"
B.03.03 IE IM Path Allocation Request Form V2.pdf"
B.03.04 DTE Account of Incident.msg"
B.04.01 DTE Account of Event.msg"
B.07.01 Internal IÉ-IM Correspondence.pdf"
B.07.02 Cork Signal Cabin Notice.pdf"
B.07.03 Route Clearance Application V2.docx"
B.07.04 Draft Route Clearance Standard.msg"
B.08.01 Path Application Request Form Word V4.pdf"
B.08.02 Capacity Allocation Plan Rev 2.docx"
B.08.03 CTC & Train Performance Organisational Chart 2014.docx"
B.08.04 CTC Org Chart Proposed 2015 Capacity Allocation.docx"
B.08.05 Track Access Agreement 2015 (IE RU Passenger).docx"
B.09.01 Delay Minute Attribution.msg"
B.09.02 2014 Cork-Midleton CW.xlsx"
B.09.03 B220 Web Summit RPSI Spl Connolly-Midleton (07-11-2014).xlsx"
B.09.04 Capacity Allocation Risk Register 2014 V1.xlsm"
B.09.05 SRS Train Performance & Capacity Allocation Mgr..docx"
B.10.01 Midleton - IAMS Screenshot.jpg"
B.11.01 RU Train Path Application Request Form.pdf"
B.11.02 JD Train Planning Performance Manager.doc"
B.11.03 Supplement to Weekly Circular 3296, Weekending 11.05.08.pdf"

12 Appendix C: Timeline of Inspection activity / correspondence

Ref	Date	From	To	Detail
1.	23 rd Mar '15	Principal Inspector Supervision & Enforcement	Head of Safety, IÉ-IM & Safety Officer South RPSI	Email – notification of the RSC intent to undertake a Post Incident Inspection into the Out of Normal Operation on the 7 th of November 2014.
2.	23 rd Mar '15	Lead Inspector	IÉ-IM (Dir IM, and Head of Safety)	Email – Formal Request for Information (RFI) issued to IÉ-IM seeking information on the operation.
3.	23 rd Mar '15	Lead Inspector	RPSI (RPSI Chairperson, and Safety Officer South RPSI)	Email – Formal Request for Information (RFI) issued to RPSI seeking information on the operation.
4.	13 th April '15	Interview process initiated.		
5.	28 th April '15	Interview process completed.		
6.	19 th Aug '15	Principal Inspector Supervision & Enforcement	IÉ (RU & IM) and RPSI	Email - Issuing of Draft for Comment report requesting comments no later than 17.00 of 2 nd September 2015.
7.	28 th Aug '15	Safety Adviser, IÉ	Principal Inspector Supervision & Enforcement	Email - Request for an extension of time for comment until the 9 th of Sept '15.
8.	28 th Aug '15	Principal Inspector Supervision & Enforcement	Safety Adviser, IÉ	Email - Confirmation of agreement to extension until Close of Business on the 9 th Sept '15.
9.	9 th of September deadline not achieved.			
10.	11 th Sept '15	IÉ-CEO	Principal Inspector Supervision & Enforcement	Letter - challenging the RSC's right to undertake the PII and requesting the report be withdrawn.
11.	24 th Sept '15	Commissioner	IÉ-CEO	Letter – Stating the statutory position, and the formal process of addressing issues arising out of the report. Response requested within 14 days of the date of this letter (i.e. 8 th Oct '15)
12.	5 th Oct '15	CIE Group Solicitor	Commissioner	Letter – repeating challenges and again requesting the report

				be withdrawn.
13.	22 nd Oct '15	Commissioner	CIE Group Solicitor	Letter – reaffirming the RSC’s position, and stating that the RSC will proceed to finalise the report.
14.	13 th Nov '15	CIE Group Solicitor	Commissioner	Letter – stating that a detailed response will be issued within 7 days (20 th November) and for the RSC to confirm that no finalised report will be issued.
15.	18 th Nov '15	Commissioner	CIE Group Solicitor	Letter – indicating RSC had all but finalised the report, and acceding to the request for a further extension of time.
16.	20 th Nov '15	CIE Group Solicitor	Commissioner	Letter – repeating a number of previous allegations.
17.	30 th Nov '15	Commissioner	CIE Group Solicitor	Letter – reaffirming the RSC’s position, and drawing the correspondence to a close.
18.	10 th Dec '15	Lead Inspector	IÉ-CEO	Email - seeking an interview with the IE-CEO in order to conclude the report. Response requested by the 18 th of December.
19.	5 th Jan '15	Lead Inspector	IÉ-CEO	Email - repeating the request for interview, having not received a response by the due date.
20.	6 th Jan '16	CIE Group Solicitor	Lead Inspector	Letter – repeating allegations, while providing options for interview of the IÉ-CEO without prejudice to IÉ’s position
21.	13 th Jan '16	Lead Inspector	CIE Group Solicitor	Letter – Reaffirming the RSC’s position. Date and time of interview with IÉ-CEO confirmed, and advising that the interview would be conducted by RSC Inspectors pursuant to Statute and Regulation.
22.	26 th Jan '16	RSC Inspectors interviewed IÉ-CEO		
23.	10 th Feb '16	Final version of report issued and published.		