

Written evidence submitted by the Rail Safety and Standards Board (RRB0020)

Introduction

1. The rail industry already faces significant challenges, with the need to be attractive to passenger and freight customers: encouraging not only modal shift, but active travel. All these goals have to be achieved whilst making our railways more efficient and financially sustainable - lowering cost and growing revenue. The industry needs long-term certainty as infrastructure operation, maintenance, renewals and projects require significant planning and are expensive to implement.
2. Rail Safety and Standards Board (RSSB) is the independent, impartial body dedicated to the development of safety, standards, and interoperability on Britain's railways. RSSB has the data and the expertise to understand the safety and cost impact of changes to the railway system like no other witness. These functions and strategies will be critical in supporting an integrated rail body (IRB) in delivering for rail's customers as well as the specific priorities for implementation of the 30-year vision of the railway.
3. At RSSB, we understand the value of the creation of a guiding body or an 'integrated rail body' which allows decision making and functions relevant to track and train to come together. However, should legislative procedures allow for the progression of such a body, then RSSB, as an expert scrutineer and data aggregator in the rail sector, would regard the areas below as primary considerations:
 - a. The safety regime under an IRB
 - b. The process of scrutiny and engagement under an IRB
 - c. The need to develop and agree mechanisms to monitor progress of the sector and the IRB's efforts in moving towards a more sustainable railway and addressing other emerging industry challenges

About Rail Safety and Standards Board

4. RSSB is the independent safety, standards and research body for Britain's rail network. RSSB is a not-for-profit company owned by its members. Unlike any other body our membership embraces the entirety of the rail network and major industry stakeholders.

5. RSSB's formation comes from a dark chapter in the history of our railways. The Southall rail crash in 1997 killed 7 people and injured 139. This was followed two years later by Ladbroke Grove, where 31 died and over 258 were injured. By the time of the Hatfield rail crash in 2000, confidence in Britain's rail was at an all-time low.
6. RSSB was established in 2003, based on key recommendations from Lord Cullen's public inquiry into the Ladbroke Grove accident. For the last 20 years our purpose has been to actively help the industry work together, to drive improvements in the British rail system. We help to make the railway safer, more efficient and more sustainable.
7. RSSB's core purpose is to lead and facilitate the industry's work to achieve continuous improvement in health and safety and efficient interoperability at the interfaces of the railway system. This has been done through our focus on risk-management and the setting of risk-based industry standards that provide the framework for company level standards to fit within.
8. As a membership-based rail industry body, RSSB includes passenger train and freight operating companies, infrastructure managers and owners, contractors, rolling stock leasing companies and the wider supply chain. We also offer affiliation to a range of UK and overseas railway companies, administrations and bodies who benefit from being part of RSSB, but who do not meet the criteria for full membership.
9. We work closely with the Department for Transport, Transport Scotland, Transport for Wales, Office of Rail and Road (ORR), Rail Accident Investigation Branch (RAIB), Rail Partners, Rail Delivery Group, Rail Freight Group, Railway Industry Association, trade unions and with academia as a founding member of the UK Rail Research and Innovation Network (UKRRIN).
10. We also support the development of international standards and regulations through our work with BSI and other partners such as the International Union of Railways (UIC) on pan-European and International standards. We support the development of international railway law via the Convention concerning International Carriage by Rail (COTIF) where we chair their technical committees on behalf of the UK.

11. While we are funded by industry and government, we are constitutionally independent of any one part or party.

Safety Regime

12. RSSB is particularly pleased that the Committee's Call for Evidence makes mention to the importance of safety across Britain's railway network. It is of paramount importance that this consideration is not missed.

13. The draft Bill proposes no immediate changes to safety and standards roles and responsibilities across the sector, including those of ORR, RSSB, RAIB and the BTP. We believe that this is a sensible approach as it is essential to provide stability during this process of change.

14. We strongly believe that a recommendation from the Committee's pre-legislative scrutiny should be that the change to an IRB should not disrupt rail safety and that the new IRB should set out how it will positively inculcate safety into its thinking and operational perspective as the new guiding body.

15. RSSB has been operating on the assumption that an IRB would be brought forward for some time now, and has already been playing a key role in the development of the Sector Target Operating Model (STOM) and other aspects of the Rail Transformation Programme (RTP), including cultural change.

16. We are also supporting the development of rail's long term strategies in the areas of sustainability, health and safety, the role of standardisation and research, and are working closely with GBR Transition Team (GBRTT) to chart a pathway to new industry structures which work. There will be a strong integration between any strategies developed by the IRB which will focus on wider/macro industry challenges and the future versions of industry strategies under RSSB, with a more targeted focus (such as the health and safety, standards, sustainability, etc). The former being focussed on 30-year horizon and setting a direction for the whole railway system, and the latter more short to medium-term to enable implementation of the specific aspirations which fit under the expertise of a body like RSSB.

Scrutiny and Engagement

17. With the likelihood that an IRB will become a strong and dominant player in the railway sector, RSSB has concerns that this could result in a shift from a pluralistic and collaborative environment between broadly equal partners (despite differences in size, funding, and scope of operations) to one single voice dominating. This culture of 'no voice is too small and no issue too insignificant' in the area of safety is critical to a mature and progressive safety culture spanning beyond and across organisational and regional boundaries.
18. RSSB urges the Committee to strongly recommend that this collaborative environment, which is essential to the maintenance of safety by allowing open dialogue between partners, unhindered from wider contractual and other power dynamics between parties, is not lost or undermined with the creation of an IRB.
19. Additionally, we would like to raise to the Committee's attention the need for assurance that a clear mechanism of accountability will be put in place to review the decision-making processes of the IRB. RSSB would like the Committee to further examine how the assurance and scrutiny of the IRB's decision-making and business plan will be carried out such that implications on safety and collaboration are assessed. Safety, economics and associated decision making is inextricably linked and often a reasonable response is constrained by the financial envelope and other decisions to affect change on the railway system. When decisions are complex and sensitive then the need for independence, objectivity and the confidence that conclusions are free of any real or perceived bias become critical. RSSB as an independent body has played and will continue to play a key role in such decisions and the IRB can rely on our support to provide this assurance in a new industry structure.
20. We are looking for reassurance from Government that the creation of a more dominant entity within the Britain's railway system will not undermine or upset the collaborative environment as mentioned. We believe that, as part of the Draft Reform Bill, the Secretary of State for Transport should provide guidance and direction to the IRB on the importance of collaboration and engagement with the broad sector partners, in order to retain this.
21. Furthermore, we have noted that the Bill permits the Scottish and Welsh counterparts of the railway network to determine their extent of

involvement with the new IRB. Combined authorities and integrated transport authorities also have an increasing role in the way railways and public transport work for their local areas, but their connection and role in relation to the IRB is not clear. RSSB is concerned that this uncertainty presents potential risk to collaboration and integrity with regard to railway safety. RSSB's scope and work covers the Scottish and Welsh parts of the railway system as well as provision of wider support to Northern Ireland. Clarity on how the IRB and those not directly responsible to the IRB will interact, engage and coordinate is essential otherwise divergent views and approaches relevant to safety, standards and sustainability can emerge which will not be effective or efficient for the railway.

- 22. Recommendation One: Government should look to establish obligations in the IRB licence conditions around enabling and participating in sector-wide collaboration mechanisms (such as those under RSSB) and assessment of whole system safety implications in IRB decisions, strategies and plans, taking account of relevant data and assessment conducted by RSSB as required.**
- 23. Recommendation Two: Government should look to establish a stakeholder group, with whom the IRB will have a duty to engage and consult with on decisions that could impact safety, health and sustainability. This should be delivered through an obligation to consult. The RSSB would be able to provide further guidance on how this can be achieved.**
- 24. Recommendation Three: Government should clearly set out the mechanisms on how the decision making and coordination between the IRB and the Scottish and Welsh Governments would work if they do not delegate relevant functions to the IRB.**

Sustainability and other emerging challenges

25. We want rail to play its part in a safer and more sustainable transport system, as well as to ensure rail itself becomes more sustainable in its own right.
26. The acceleration of better infra- and inter-city connectivity will contribute to these goals and so we see this policy direction being an important enabler to sustainable development and people's quality of life.

27. The Sustainable Rail Blueprint developed by RSSB as the industry's first comprehensive and credible strategy for realising an even more sustainable railway clearly sets out where rail needs to make progress on environmental and social issues. Achieving a net zero railway is part of this.
28. Additionally, other emerging industry challenges such as health, wellbeing, open data, even responding future health pandemics or emerging technologies like Artificial Intelligence will require collective and considered approaches where the whole sector has buy-in. This requires:
- a. Cross sector consensus and decision making,
 - b. Independent monitoring, scrutiny and challenge,
 - c. Objective evidence-based decisions, and
 - d. Whole system thinking.

These principles have been a cornerstone of what RSSB has done since its existence with results seen in the sector's safety performance. These principles will continue to apply to the new challenges that the sector will face. This is where RSSB's support to the IRB as an independent body can be invaluable.

29. We would therefore like to see the Committee consider the following: how will assurance be provided that enable transparency and public scrutiny over progress on targets and goals set for the IRB itself and the wider sector especially parts of the railway that do not report to the IRB? Such mechanisms are on a more mature footing for safety but for sustainability and other aims, any mechanisms are in their infancy/early stages and will need to be supported as the sector drives towards addressing them as a whole system.
30. **Recommendation: The Secretary of State should outline how the new IRB will use its central position in the UK railway network to monitor progress towards a more sustainable railway and how its own efforts in enabling progress will be scrutinised and supported. The RSSB strongly urges that an opportunity should be given via a relevant consultation (such as when the IRB licence conditions are proposed) for stakeholders to provide thoughts on any mechanisms to monitor and encourage progress on sustainable goals.**

Additional Comments

RSSB is keen to support the Transport Committee's pre-scrutiny inquiry to our full capabilities and is available to provide oral evidence during the inquiry's proceedings.

March 2024