

Permanent Way Institution

Guidance for Heritage Railways on the Inspection and Maintenance of Permanent Way, and the Inspection and Assessment of other infrastructure that is necessary for the safety of the line

The intention of this series of documents is to give guidance to the heritage railways in the UK as to how they can ensure the safety of their permanent way, and hence how they can ensure that a Duty Holder¹ meets its duties under the HASAWA to its staff² and to the public.

The Duty Holder should note that off-track infrastructure is also vital to the safe operation of a railway, and should ensure that the operation's Safety Management System covers the safe inspection, operation and maintenance of off-track infrastructure as well as the track issues covered in this series of documents.

Document I – Introduction to managing the permanent way on a heritage railway

Target Audience:-	Duty Holder
	Professional Head of Track

I. The legal background

- a. The track, or permanent way, of a railway is a fundamental building block on which all other operations of the railway rest. The many accidents that have occurred due to the poor state of the track throughout the history of railways are well documented, most recently in the reports of the Rail Accident Investigation Branch.
- b. The Health and Safety at Work, etc., Act 1974 (HASAWA) requires every employer to ensure, so far as is reasonably practicable:
 - i. the health, safety and welfare at work of all his/her employeesⁱ, and
 - ii. the safety of persons other than employees, for example, contractors, visitors, the general public and clients.
- c. Railway specific legislation, in particular The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended), makes it clear that these requirements apply to all railways that carry the public, including those operated entirely by volunteers.

¹ The term 'Duty Holder' is used throughout these documents to indicate the directing mind. This should be taken as referring to the ultimate body with executive authority for the operation of the railway, as defined in the railway's safety management system

² For the purposes of these documents, the term 'staff' includes both paid and voluntary workers

2. The need for a Professional Head of Track

- a. The derailment of a train due to the poor state of the permanent way could be seen as a case of not meeting these requirements, and hence adequate maintenance of the permanent way is a prime responsibility of the directors of any railway undertaking. The Permanent Way Institution recommends that the Duty Holder (Board of Directors, etc.) of every heritage railway delegate their responsibility for the condition of the permanent way to a single person, who would carry the professional responsibility for the standards for, and condition of, the permanent way. Such a person should be able to demonstrate competence in the maintenance and appropriate design of permanent way commensurate with the complexity of the operation, and should be clearly recorded as the 'Professional Head of Track'
- b. On smaller heritage railways it is possible that the day-to-day Supervision of the track can be incorporated into the position of the Professional Head. If this is done the Duty Holder should satisfy itself that the person holding both positions has sufficient competence to carry them both out, and that a suitable audit process ensures the safety of the operation.
- c. Alternatively, the Professional Head may be employed (or volunteer) on a consultancy basis to carry out the relevant duties. In the case of doing this the Duty Holder must be satisfied that the Professional Head is sufficiently competent to discharge the role, and has sufficient time and resources to discharge it

3. The structure and standing of the PWI documents regarding the permanent way of heritage railways

- a. This series of documents is primarily concerned with the inspection and maintenance of the permanent way on heritage railways. It does not cover standards or procedures for the maintenance of off-track infrastructure, although it does give guidance as to how the procedures for inspecting track can and cannot impinge on off-track infrastructure. It also gives guidance on how to record details of such infrastructure, as well as the track itself
- b. The individual documents in this series offer guidance to particular audiences, as explained below:
 - i. Document 2 is intended for the Professional Head of Track, and explains the processes that should be in place for a system;
 - ii. Document 3 is also intended for the Professional Head of Track, and concerns standards. It does not mandate technical standards or procedures to work to, but gives outlines that should, if fully applied, ensure procedures and standards that are adequate for operation at speeds of up to 25 mph (40 kph).

This document draws upon Network Rail's technical standard NR/L2/TRK/001 , Inspection and Maintenance of Permanent Way, Issue 6, dated December 2012, **It is essential that each railway's**

Professional Head of Track has the competence to review this document, and arranges suitable standards for the particular railway³. This is especially the case for broad and narrow gauge lines, which do not have universal technical standards. Where separate standards are necessary for narrow gauge tracks then this will be specifically identified in the relevant sections of Document 3. Standards for the Irish broad gauge are not covered, and reference should be made to the relevant NIR / IE standards if appropriate:

- iii. Document 4 is intended to give guidance to the track inspector (patroller) as to how he or she should carry out visual inspections, what to look for, and what actions to take on finding a defect: and
 - iv. Document 5 refers to Network Rail's suite of track work instructions, which give guidance as to how to carry out most common track jobs. These documents are designed for use on the national network, and the Professional Head of Track should satisfy him or herself of their relevance for the particular railway.
- c. Public heritage railways in the UK vary in length from a few hundred metres to some sixty kilometres, and the safety management systems of different railways will inevitably be greatly different, even while following the principles of these documents, and particularly of Document 2. This series of documents is written to be applicable to the largest heritage railways, and it is possible that some aspects of it will not need to be applied to a smaller line. The Permanent Way Institution recommends that the Duty Holder should remit the Professional Head of Track to review all aspects of this document, and recommend to the Duty Holder those areas of this document that may not be applicable, or may only be partially applicable, to their particular railway, so that the Duty Holder can take a formal decision not to apply those parts of this document. The Duty Holder should note that omission of any section of Document 2 should be based on technical grounds, and not on economic or business reasons. That the business is a small railway is not an acceptable reason for a reduction in standards.
- d. This series of documents generally does not consider the issues that arise regarding the safety of staff working on and about the railway, but focuses on carrying out technical work on the track. The Duty Holder must ensure that all its staff, whether paid or voluntary, are appropriately competent in the relevant sections of its Safety Management System, so they have a safe system of work for the particular circumstances of the railway and the work being carried out.
- e. Whilst this series of documents is written to advise and guide heritage railways, it does not in any way remove the legal duty of Duty Holders to assess the risks of their operation, and to take such steps as are reasonably practicable to minimise those risks.

³ Network Rail accepts no responsibility for the use of its technical standards by heritage railways.
