

ATOC

Association of Train Operating Companies

ATOC Guidance Note - Managing the Risk to Passengers and Staff from the Use of Contracted Road Services

Synopsis

This Guidance Note provides advice on managing risks associated with the use of road transport provided by Third Parties for conveyance of passengers and staff.

Authorised by



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Part A

Issue Record

This Guidance Note will be updated when necessary by distribution of a complete replacement.

Amended or additional parts of revised pages will be marked by a vertical black line in the adjacent margin.

Issue	Date	Comments
One	April 2012	Original Document – updates and replaces ATOC/GPG002 which is now withdrawn

Responsibilities

Copies of this Guidance Note should be distributed by ATOC members to persons responsible for ensuring compliance with the appropriate Railway Group Standards.

Explanatory Note

ATOC Guidance Notes are produced for the information of its members and are intended to reflect good practice.

ATOC members are recommended to evaluate the guidance against their own arrangements in a structured and systematic way. Some parts of the guidance may not be appropriate to their operations. It is recommended that this process of evaluation and any subsequent decision to adopt (or not to adopt) elements of the guidance should be documented.

ATOC is not a regulatory body and compliance with ATOC Guidance Notes is not mandatory.

Guidance Note Status

This document is not intended to create legally binding obligations between Railway Undertakings and should be binding in honour only.

Supply

Electronic and printed copies of this Guidance Note may be obtained from the ATOC members' web site.

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Part B

1. Purpose

Railway Undertakings frequently contract with Third Party suppliers - both bus and taxi operators - to provide road transport for passengers and/or staff. This may be on a regular, routine basis or in response to planned or emergency disruption to rail services.

This document is intended to assist Railway Undertakings to meet their obligations to identify and control risks to both their own staff and the public arising from such uses of road transport.

It does not claim to cover every eventuality that might be faced but does provide an indication of areas to be considered and some answers to common problems.

It is not intended to cover risks associated with staff use of their own or company owned or leased road vehicles, in respect of which attention is drawn to HSE publications HSG136 Workplace Transport Safety and INDG382 Driving at Work.

2. Scope

This Guidance Note is produced for the benefit of all member organisations of the ATOC Train Operations Scheme.

3. Introduction

While use of road vehicles is outside the scope of Railway Undertaking Safety Management Systems, it does fall within the broader definition of risks under a duty holder's control. The general health and safety duty applicable to a body conducting an undertaking is to ensure that anyone who may be affected by the undertaking is not exposed to risks to their health and safety, so far as it is reasonably practicable.

While it is clearly not possible for a Railway Undertaking to directly control risks associated with the use of road transport by its passengers or staff if this is provided by an outside agency, it should take reasonable steps to ensure that such risks have been identified and are being managed by that agency.

4. General Health & Safety Responsibilities - Legal Position

A general health and safety duty applicable to a body conducting an undertaking is to ensure that anyone who may be affected by the undertaking is not exposed to risks to their health and safety, so far as it is reasonably practicable. This applies for both staff and customers and includes their conveyance by both rail and contracted road services.

It should be remembered that a Railway Undertaking retains overall responsibility for the health and safety of its employees at all times when they are engaged in company business. This clearly includes during the course of any journey they are required to undertake as part of their duties, even if this involves use of another company's staff and vehicles. Appendix A provides a sample risk assessment for the use of rail replacement road vehicles.

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5. Management and Operation of Road Vehicles

5.1 Overview

Where road transport is provided by an outside supplier, many responsibilities concerning the management and operation of the vehicles involved clearly rest with that supplier. However, the Railway Undertaking retains a duty to have adequate procurement and checking arrangements in place.

HSE publications HSG136 Workplace Transport Safety and INDG382 Driving at Work provide detailed guidance on road vehicle management. As far as is appropriate and practicable, Railway Undertakings should ensure that suppliers of road transport manage their operations in a manner broadly consistent with their content. Particular consideration should be given to their policy in the following areas:-

- Driving Licences - all drivers should hold an appropriate licence for the vehicle being driven
- Driver Certificate of Professional Competence (CPC) – all professional drivers of buses (including minibuses with 9 seats or more) and coaches are now required (by the EU) to be in possession of a CPC which they must carry when driving and be able to provide on request. The CPC requires all professional bus, coach (and lorry) drivers to complete a minimum of 35 hours periodic training every five years for as long as they wish to continue driving professionally.
- Drink Driving - drivers should be subject to Drugs and Alcohol policies at least as restrictive as those applicable to train drivers
- Rest Periods - drivers should be both permitted and required to take appropriate rest periods on long journeys
- Maintenance and Repair - vehicles should be subject to an appropriate structured maintenance regime. Repairs should be undertaken by suitably qualified staff or suppliers
- MOT - Where required, vehicles used should have a current certificate of roadworthiness
- Driver Competence - how driver competence is ensured, managed and developed

5.2 Fatigue

Fatigue is one of the biggest hazards faced by occupational road users. As such, companies contracted to supply road transport should be required to demonstrate their acknowledgement of the issue, understanding of the influencing factors and action taken to manage and mitigate the associated risks.

It is important to include controls in relation to driver fatigue within any procurement and supplier accreditation process for the provision of road transport. Whilst the bus industry is well regulated in terms of control of driver hours by provision of tachographs, the taxi industry is not and so consideration should be given to the methods by which taxi supply firms ensure that limits are set on driving times for their staff within an occupational road risk strategy.

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6. Selection and Management of Suppliers

6.1 Overview

The use of road vehicles is an integral part of overall rail operations. Buses and taxis are used regularly on timetabled services such as rail-air links and conveyance of train crew respectively, while both are also used on an occasional basis to provide replacement services during engineering works or service disruption. Risks emanating from movement on station forecourts are covered in Section 8 of this document. For control of other associated risks, the following considerations may be beneficial.

(There are other considerations outside the scope of this Guidance Note, e.g. off-charging costs as well as publicity and other customer service aspects.)

6.2 Accredited Supplier List

An accredited supplier list will reduce the opportunity for unsuitable bus or taxi operators to be used. Only those suppliers who are accredited should be selected. In respect of taxis, all suppliers should be licensed providers - under no circumstances should unlicensed mini cabs ever be used. Contracts are also likely to exist between the company and the taxi firm(s).

6.3 Authorisation Arrangements

Railway Undertakings should have in place clearly defined arrangements stating who within their organisations has authority to procure the hiring of buses and taxis whether on a planned (as is generally the case in connection with engineering works) or unplanned/emergency basis (e.g. in the event of train cancellations, late running, infrastructure problems, etc.) and under what circumstances.

6.4 Instructions to Suppliers

The person responsible for ordering buses or taxis should ensure that the supplier and the individual drivers are given clear instructions regarding:-

- the type and capacity of vehicles to be used
- the number of vehicles required (taking into account expected journey times, contingency for delays both to road vehicles and connecting train services and the need to minimise the risk of over-crowding)
- for buses in particular, the route to be taken (taking into account low bridges if double deck vehicles are to be used, road widths, requirements for buses to turn, etc.). This will be a joint agreement using the supplier's knowledge and ultimately will be the supplier's responsibility. Particular care should be taken to ensure that SatNav systems are either turned off or have been suitably programmed to ensure that they do not direct drivers along routes inappropriate for the vehicle being driven, most obvious is the need to avoid low bridges.
- precise stopping places (e.g. 'station forecourt at Charlbury' and not a bland 'Charlbury')
- undertaking of station/platform searches for potential passengers to be picked up
- emergency and general telephone numbers for contact with Railway Undertaking personnel at starting, destination and intermediate points
- times and frequencies of operation if multi-trip

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6.5 Staffing of Services

When either planned or unplanned bus or taxi services are arranged, the local manager(s) should evaluate the need for and if necessary provide additional staff to co-ordinate vehicles and the interchange of passengers between road and rail services. There are six key areas of risk that should be evaluated to allow suitable arrangements to be implemented:-

- provision of information to customers - advising customers, either in person or via CIS/announcements
- boarding/alighting arrangements - escorting customers to and from buses or taxis and platforms at all stops
- interchange - management of transfer between rail and road transport, including holding of connections, authorising of bus departures, etc.
- accompanied articles - management/handling of accompanied luggage, pushchairs, etc.
- revenue protection arrangements
- liaison with the bus or taxi operator - points of contact between the Railway Undertaking and the operator(s) should be established and advised out to all concerned

Particular regard should be given to the requirements at normally unstaffed stations.

More generally, although not related directly to 'safety' issues, effective management of the situation helps to control the risks to passengers (injuries incurred in transferring between transport modes, carrying of luggage etc) and staff (assaults by agitated passengers). Appendix B provides a sample Guidance Leaflet for Railway Staff on Supervision of Buses Used on Rail Replacement Services.

6.6 Welfare of Staff Involved in Road-Rail Replacement Arrangements

The following points should typically be considered in respect of employee welfare when engaged on supervision duties:-

- access to toilet facilities
- access to rest facilities (including drinking water)
- personal security
- cash security
- protection from inclement weather (shelter, clothing, etc)
- communications

6.7 Review of Suppliers

Railway Undertakings should consider putting in place some mechanism/process for review and audit of supplier standards of safety and service.

7. Use of Private Vehicles

The use of private vehicles by employees for the conveyance of passengers is a complex area and a Railway Undertaking may be vicariously liable for the actions of its employees. As a minimum, confirmation that insurance cover is provided should be established prior to a member of staff carrying stranded passengers and staff members need to be made aware of this.

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8. Control of Vehicles on Railway Premises

Railway Undertakings should undertake risk assessments relating to the operation of road vehicles to and from station forecourts and the following points, though not definitive, are an aid to controlling this risk:-

- conflict between pedestrian and vehicular routes
- delineation of routes
- underfoot conditions (slips, trips and falls)
- severe weather precautions
- adequacy of lighting
- speed restrictions and enforcement measures e.g. sleeping policemen
- provision of mirrors on bends
- delineated roadways
- adequate signing
- designated parking areas
- security – both of vehicles and from an ‘operational security’ perspective
- access by delivery vehicles (e.g. to tenants)
- access for disabled, children etc
- avoidance of obstruction of track access points, fire exits etc
- blocking-back onto public road
- parking restrictions
- cycle parking
- cycle lanes
- CCTV coverage
- control of excess taxis

9. Sources and Further Information

The following sources were used in the production of this document:-

- Procedures provided by various members of the Railway Group
- Summary of company policies (Sheiiba source)
- ‘Talking Shopped’ – article IOSH SHP magazine April 2003
- Railway Safety Ltd letter ‘Guidance on safety responsibilities of train operators for replacement non-rail vehicles on rail journeys’ 19.3.03
- Miscellaneous material Fleet Safety Forum
- Croner’s Guide – Management of Occupational Road Risk
- Driving Standards Agency (DSA) guidance on Driver Certificate of Professional Competence

The following websites (many of which themselves include potentially useful links) may be of interest:-

- www.brake.org.uk (Brake – the road safety charity)
- www.drivercpc.org/en/ (Driver CPC)
- www.dsa.gov.uk (The Driving Standards Agency)
- www.hse.gov.uk (The Health and Safety Executive)
- www.highways.gov.uk (The Highways Agency)
- www.iosh.co.uk (The Institution of Occupational Safety and Health)
- www.pacts.org.uk (Parliamentary Advisory Council for Transport Safety)
- www.rospa.co.uk (The Royal Society for the Prevention of Accidents)
- www.rssb.co.uk (Railway Safety & Standards Board)
- www.vosa.gov.uk (The Vehicle and Operator Services Agency)

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APPENDIX A

Sample Risk Assessment - Use of Rail Replacement Road Transport

ACTIVITY	POTENTIAL HAZARDS	DEGREE OF RISK	EXISTING CONTROLS	ADDITIONAL ACTION REQUIRED
Vehicle Integrity	Road traffic accident, fire, prosecution.	Company specific	Robust procurement processes and pre-qualification of suppliers. Supplier audit. Road Traffic Act.	Complaint procedure for staff. Continuing audit.
Staff Competence	Road traffic accident.	Company specific	Robust procurement processes and pre-qualification of suppliers. Supplier audit	On site monitoring.
Staff working time	Fatigue leading to road traffic accident.	Company specific	Robust procurement processes and pre-qualification of suppliers. Supplier audit. Tachographs for bus drivers.	Continuing audit.
Staff fitness for duty	Road traffic accident due to impairment through alcohol and/or drugs.	Company specific	Enforcement of drugs and alcohol policy for contractors. Road Traffic Act.	Random monitoring of contractor staff for alcohol and drugs.
Route Planning	Driver speeding or lack of route knowledge resulting in road traffic accident.	Company specific	Robust procurement and planning policy prior to planned work. Route plan specific to type of transport used e.g. double decker/single decker bus. Tachographs on buses.	Monitoring by company representative on the day. Complaint procedure for staff.
Transport of Passengers	Slip, trip and fall accidents whilst board and alighting and on board buses.	Company specific	Staff assistance whilst boarding and alighting buses. Boarding and alighting to be undertaken at suitable locations. Interior cleanliness of buses and taxis.	Monitoring of accident rates and implementation of remedial actions.
Carriage of dogs or other animals	Driver distraction, bites and biohazards.	Company specific	Policy ensuring that animals are secured.	
Transport of Staff	Slip, trip and fall accidents whilst board and alighting and on board buses.	Company specific	Boarding and alighting to be undertaken at suitable locations. Interior cleanliness of buses and taxis.	Monitoring of accident rates and implementation of remedial actions.
Loose item/load	Items hitting passenger/staff in the event of a sudden stop/accident.	Company specific	Luggage to be stored in boot or luggage hold.	

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APPENDIX B

Guidance Leaflet for Railway Staff on Supervision of Buses Used on Rail Replacement Services

The following leaflet is intended to be printed 'back to back' in order to produce a booklet of four pages. It is reproduced here in that format with page four alongside page one and page three alongside page two.

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Guidance for Railway Staff on Supervision of Buses Used on Rail Replacement Services

On The Bus

The principal role of staff travelling on rail replacement buses is customer assistance.

When railway staff travel on the bus it can be useful to check that passengers are not left on platforms at intermediate stops, particularly those that are unstaffed.

The bus driver is not normally required to check platforms and if railway staff are not on the bus posters will inform passengers of the arrangements at any unstaffed stations.

It is not normal to check tickets on the bus, any ticket checks deemed necessary will usually be carried out as passengers board the bus.

It is unlikely that close supervision of passengers will be necessary but passengers may need assistance with a variety of issues, including the times of connecting services. Therefore it would be useful to have a copy of appropriate timetables to hand.

In order to minimise the risk of accidents, passengers should be advised to remain seated until the bus stops.

Passengers may ask for help with luggage items and if staff assist with this they should remember their manual handling training.

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Introduction

The purpose of this guidance is to provide information and advice for railway staff who may be required to supervise the use of buses on rail replacement services. The advice is in two parts - supervision of passengers on the bus, and supervision of passengers alighting or boarding (or waiting to do so). Whether rostered on or off the bus the primary role of staff in such circumstances is customer assistance.

Railway staff should be aware that any disruption to journeys, such as provision of a bus instead of a train for part of a journey, may cause raised tempers among passengers and lead to potential staff assaults. It is very necessary for staff to ensure their own safety at all times and to remember their conflict avoidance training.

The bus driver should have clear route instructions from his company and it is the driver's responsibility to ensure the route to be taken is fit for the bus provided. This should be organised when the contract for the work is awarded and will not normally be the responsibility of railway staff 'on the ground', although it may be useful to check that all the stations to be covered are actually on the route given to the driver. Any errors or omissions in the route should be reported as soon as possible to the manager responsible for arranging the bus replacement service.

The bus driver will normally check that people boarding the bus have a rail ticket, so staff travelling on the bus will not normally need to check tickets. Obviously the bus driver cannot be expected to know rail ticket validities etc., however instances of fraudulent travel in these circumstances are quite rare and would normally be detected elsewhere on the passenger's journey.

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The Bus Queue

Railway staff appointed to supervise people waiting for buses on rail replacement services should check that adequate signage is posted to ensure people are made aware of the replacement bus service and where the bus will stop. It may be necessary to make periodic checks on the platforms and elsewhere to ensure people have not missed the signs and/or are waiting in the wrong place.

It is obviously useful to have a good idea of the frequency of bus service that is expected. Customer information is one of the major reasons for having staff in these positions. A high-visibility vest can make it easier for passengers to see who to consult for information.

It will also be useful to have details of the reason for the rail replacement bus service and the expected duration. Be cautious of giving definite times for commencement of normal services unless you are certain they are correct and will be adhered to.

People waiting for buses should not require close supervision although care may be needed to prevent risks from crowding when the bus arrives. Queues should be managed to ensure that no-one is in danger of being crushed or pushed, also to allow free space so that people alighting from the bus may do so safely.

Care should be taken to direct passengers alighting from buses by a safe route - try not to allow people to cross the road from directly behind the bus.

If tickets are checked as passengers board, anybody without a valid ticket should not be refused travel but directed to the nearest ticket sales point. This may be a booking office or Revenue Staff with portable ticket machines.