

# Rail Delivery Group



**RDG-GN025**  
**Issue** Two  
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## Guidance Note – Post Incident Management of Personal Property

### Synopsis

This Guidance Note provides advice on how personal property recovered from incident sites should be managed. It addresses both the logistics of collecting, storing and identifying such items and the challenges associated with their return. The latter, particularly in the event of a fatality, may be extremely emotive for family members and hence needs to be handled with appropriate sensitivity.

### Applicability

This Guidance Note has been prepared for passenger operators. However, its content may also be of use to others.

Authorised by

A handwritten signature in black ink, appearing to read 'JBurt', is written over a horizontal dashed line.

James Burt  
Chair, RDG Train Operators Emergency Planning Group and RDG Incident Care Team Management Group

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### **Issue record**

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Two	October 2017	Updated following periodic review and also reformatted as an RDG document

# RDG Guidance Note – Post Incident Management of Personal Property

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### **Part 1 About this document**

#### **1.1 Responsibilities**

- 1.1.1 Copies of this Guidance Note should be distributed by RDG members to persons within their respective organisations for whom its content is relevant.

#### **1.2 Explanatory note**

- 1.2.1 RDG produces RDG Guidance Notes for the information of its members. RDG is not a regulatory body and compliance with RDG Guidance Notes is not mandatory.
- 1.2.2 RDG Guidance Notes are intended to reflect good practice. RDG members are recommended to evaluate the guidance against their own arrangements in a structured and systematic way. Some or all 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.

#### **1.3 Guidance Note status**

- 1.3.1 This document is not intended to create legally binding obligations between railway duty holders and should be binding in honour only.

#### **1.4 Supply**

- 1.4.1 Copies of this Guidance Note may be obtained from the RDG members' web site.

## Part 2 Introduction, Purpose and Scope

### 2.1 Introduction

- 2.1.1 Any major rail incident will result in those involved potentially being separated from their personal property. This may be as a result of being removed from the site in an injured state by the emergency services, the need to leave the scene quickly and unhindered by belongings to get to a place of safety, having items such as jewellery removed prior to medical treatment or items simply becoming lost. Other personal property will be found on or with those who have died.
- 2.1.2 It is recognised that each railway undertaking operates differently (albeit there will be similarity in the way tasks are approached and managed) and this guidance note does not seek to provide a definitive direction or obligation on how an individual Train Operating Company manages this task.
- 2.1.3 However there are particular issues regarding personal property and its return which must be recognised. Other organisations, such as the British Transport Police (BTP), have certain obligations in relation to such items and beyond this may have an interest where items have the potential to provide evidence relevant to any police investigation.

### 2.2 Purpose

- 2.2.1 The purpose of this Guidance Note is to provide basic information to railway undertakings on the principles to be adopted for the return of personal items and effects – generically referred to within this document as personal property – to owners or their next of kin once it has been recovered from site in the aftermath of a significant incident.
- 2.2.2 The starting point for this needs to be an appreciation of the challenges presented in such cases.
- 2.2.3 In part these comprise the logistical challenges associated with the recovery, storage and identification of what may be a large number of such objects, some of which may be extensively damaged or soiled. It is recommended that processes be established to manage these elements, including the provision of appropriate resources, and that these be documented or referred to within company emergency plans. These are discussed further in Parts 6, 7 and 8 of this Guidance Note.
- 2.2.4 The subsequent return of personal property to their owners or, in the case of fatalities, next of kin presents a different set of challenges. In many cases, particularly if personal property is required by the authorities to be retained as evidence to support a criminal prosecution or accident investigation, its return will be significantly delayed - a year or more is not uncommon. There may also be issues in identifying who the rightful recipient is, for example if two or more families claim the same item. Indeed, the process of returning personal property is fundamentally linked to the process of determining those involved in the incident (whether alive or fatally injured) and/or their families. Without knowing who *may* be entitled to claim, the process for returning property cannot be initiated.

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- 2.2.5 The return of personal property when it does take place is likely to be particularly emotional for those receiving it. As a minimum it will be a reminder of the incident and may act as a trigger for those involved to relive it, while for bereaved families receiving an item a loved one had with them at the moment of their death is likely to be particularly poignant. The vast majority of railway undertakings have in place Incident Care Teams which comprise teams of specially selected volunteers who provide practical and emotional support to those whose lives have been changed as a result of major rail incidents. Incident Care Team members have received special training in how to handle such situations with sensitivity to the needs and wishes of those concerned and it is highly recommended that they be involved in the process for returning personal property in all but trivial cases (i.e. where the incident resulted in no or minimal injuries).
- 2.2.6 As stated in section 2.1.2, it is not the intention of this guidance to provide a definitive way in which railway undertakings should organise and action the return of personal property but to highlight the more important aspects to be considered when planning for this task.

### 2.3 Scope

- 2.3.1 This guide is produced for the benefit of all member organisations of the RDG Train Operators Operations Scheme.
- 2.3.2 Those parts of it concerning the recovery, storage and identification of personal property (Parts 6, 7 and 8) are of particular relevance to those responsible for emergency planning while Part 9 on return of personal property is particularly targeted at those with responsibility for the humanitarian assistance elements of the emergency response (as provided by Incident Care Teams). It is, however, recommended that both audiences familiarise themselves with the full content of the document.

## Part 3 Definitions

### 3.1 Definitions used within this document

- 3.1.1 For purpose of this guidance document the following definitions apply:
- i) **Disaster Victim Identification (DVI):** The processes and procedures for recovering and identifying deceased persons and human remains along with the support given to family and friends during the identification process.
  - ii) **Incident Care Team:** A team, comprising specially selected and suitably trained individuals, able to be quickly activated in the event of a major accident or other incident involving customers for the purpose of providing practical and emotional care and support for those affected.
  - iii) **Personal property:** All items and personal effects recovered following an incident from the site or elsewhere and which are likely to be owned or otherwise associated with any of those involved. This includes electronic data held on laptops, mobile phones, and other electronic devices, etc. (such as documents, music files, images, etc.). Such items may have different values to different stakeholders, for example as evidence, for sentimental reasons or for purely financial reasons (or any combination of these).

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- iv) **Police Family Liaison Officer (FLO):** Police officer designated to facilitate an investigation into people believed to be missing and to assist identification by collecting ante-mortem data.

The role of the FLO includes providing and maintaining a contact for bereaved families, persons seriously injured and their families. They will provide a link to the official investigation into the particular incident or accident. One of the key aims of the police in respect of the bereaved is early identification and repatriation of the body and personal effects.

## **Part 4 Overview**

### **4.1 Categorisation and status of personal property**

- 4.1.1 For the purpose of this guidance, personal property will fall into one of three basic categories.
- i) Scene of crime: Personal property which may be retained / impounded by the police as having evidential significance to them as part of the investigation / evidence process.
  - i) Non suspicious: Personal property that has no evidential significance (interest) to the police and is not required by them for investigation / evidence purposes.
  - ii) 'Non-controversial': In many cases the incident will not require the involvement of the police (in an investigative role) and will not have resulted in any significant injuries – an example might be following the emergency evacuation of a train which required larger personal items to be left on board. In such cases, the return of such items is likely to be achieved quickly and simply and the process for doing so falls outside the scope of this guidance document.
- 4.1.2 The incident site will automatically be declared a scene of crime when the incident is suspected to have involved a criminal act of some description (including terrorism). It may also be so declared until it has been confirmed that there was no criminal negligence on the part of Network Rail, the Train Operating Company or individual members of their staff.
- 4.1.3 Otherwise, the incident will be regarded as non-suspicious with personal property regarded as having no link to the cause or nature of the incident. However, in cases where there are fatalities, it may still be necessary for the police to initially retain items of personal property to assist with the Disaster Victim Identification process prior to their subsequent return.
- 4.1.4 In the initial stages of any accident it should be assumed that it is a scene of crime until advised otherwise by the police and no personal property should be removed from the scene under any circumstances.



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### Part 5 Key responsibilities

#### 5.1 Scene of crime incident

- 5.1.1 As all items from the incident scene may potentially constitute evidence, the BTP<sup>1</sup> will lead the collection, secure storage, identification and repatriation of personal property.
- 5.1.2 As this task may be resource heavy, depending on the number of people affected and amount of personal property involved, the BTP may request assistance from the railway undertaking to provide support in terms of staffing and transport. It is important that railway undertakings recognise this and are prepared to provide such assistance by making staff and suitable vehicles available.

#### 5.2 Non suspicious incident

- 5.2.1 Where the incident site is declared not to be a scene of crime by the BTP, retention of personal property will not be necessary as part of any investigation (though may still be needed to help with identification of anyone who has died or has been severely injured – see section 2.1.1). In this case, the lead for the collection, secure storage, identification and final return of such items lies with the owning railway undertaking which must have in place contingency plans to cover this eventuality, though it should be noted that the BTP can and will assist in this task.

### Part 6 Collection from the scene

#### 6.1 Liaison with BTP

- 6.1.1 Close liaison with the BTP or any other police force involved is essential in both suspicious and non suspicious incidents.

#### 6.2 Collection by railway undertaking staff

- 6.2.1 Where railway undertaking staff are responsible for or otherwise involved in collecting personal property from the scene they should be:
  - iii) Appropriately briefed (including to treat all items with both care and respect and what to do if they come across contaminated or specific items).
  - iv) Provided with appropriate Personal Protective Equipment (PPE) for the role, i.e. both the recovery of items from a potentially hazardous site and the handling of potentially contaminated items.
  - v) Provided with a means of systematically recording the location from which items have been recovered.

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<sup>1</sup> This generally applies for a rail incident – though the BTP may request assistance from Home Office forces. In the event of, for example, a road traffic accident involving a rail replacement bus service, then the local Home Office police force will assume this responsibility and liaison will need to be established with them, either directly or through the BTP.

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6.2.2 Suitable numbers and types of vehicles and staff should be mobilised to the scene to collect and securely transport recovered items to a storage facility.

6.2.3 Part 11 addresses support and welfare provision for staff involved.

## **Part 7 Storage**

### **7.1 Responsibilities of railway undertakings**

7.1.1 Where railway undertakings are responsible for or otherwise involved in storage of personal property recovered from the incident site, they should ensure the following arrangements / facilities are identified and activated:

- i) A location for storage of personal property. In addition to providing security against unauthorised access, this should also provide an environment that prevents as far as possible deterioration of items recovered.
- ii) A secure system for cataloguing and accessing the items, in order to retrieve them quickly when needed – see section 8.1.
- iii) A secure system and process for identifying owners of personal property (see Part 8).
- iv) A secure system and process to facilitate return of personal property once identified and in line with the wishes of those who are to receive it (see Part 9).

## **Part 8 Identification of personal property**

### **8.1 Cataloguing of items**

8.1.1 In order to establish who any personal property recovered from an incident site belongs to it will need to be sorted, photographed and recorded and a catalogue produced to aid future identification by potential owners or their next of kin.

### **8.2 Categorisation of items**

8.2.1 Property can be divided into two categories “Associated items” and “Un-Associated items”.

### **8.3 “Associated items”**

8.3.1 These are items of personal property that can be easily and unambiguously linked to a particular individual. They include personal items such as passports, bank cards and cheque books, items containing very clear names, data or images - such as documents, photographic or video recording equipment, mobile phones, laptops and similar - or readily identifiable items such as jewellery. Items such as these with clear ownership identifiable features may be returned much earlier than un-associated items, investigations permitting.

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### **8.4 “Un-Associated items”**

- 8.4.1 By definition these items will not have any readily identifiable markers relating to individuals, and a system must be employed to match the property with its owner. Such items include luggage, bags, rucksacks, etc. without labels, laptop computers, electronic devices, money, children’s toys and possibly cargo.
- 8.4.2 In certain circumstances some “Un-Associated items” may have to be disposed of, due to the scale of the disaster or the level of damage, rather than to seek to identify and return them all. However, this should be considered as very much a ‘last resort’ option.
- 8.4.3 In order to sort / investigate / identify / mark and record / return the items being stored the following should be considered.
- i) A secure location for sorting the items
  - v) PPE assessment and supply of appropriate PPE, as some items may be contaminated with blood and other fluids / contaminants
  - vi) Staff and training to carry out the identification process
  - vii) A system to record findings and match with potential owners
  - viii) A system for collating unidentified items for survivors or family members/friends to view in order to identify possessions – one option is a catalogue of photographs/images
  - ix) A system / process to ensure the items handed back are genuinely the property of the recipient (for example, demonstration of proof of ownership) and if not being returned directly to them then are being returned to someone confirmed as their chosen or legal representative or next of kin
- 8.4.4 By the very nature of this task it must be assumed that the return of belongings to either the owner or their representatives may take many weeks if not months to achieve. In some cases belongings will not be matched and be repatriated to their owners at all and eventually must be disposed of.
- 8.4.5 It follows that any railway undertaking making preparations must be prepared for such an eventuality and have in place arrangements robust enough to accommodate a long-term commitment.

## **Part 9 Return of personal property**

### **9.1 Handling of items – the need for sensitivity**

- 9.1.1 The return of personal property, in particular property which belonged to anyone now deceased, must be treated with utmost care and attention, remaining sensitive to the situation. Each individual or family group will react differently to the prospect of receiving items which have a direct, and often personal, link with the deceased.

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- 9.1.2 The method to be used to return the items must therefore never be assumed, the recipients must be fully engaged with the process and their feelings and wishes must be taken fully into account.

### **9.2 Explaining why return of items may be delayed**

- 9.2.1 As already noted, it may be necessary to retain certain items for some considerable time to provide evidence for investigations such as inquests, health & safety inquiries, civil prosecutions and criminal trials. While there is no reason why efforts should not be made to identify owners of property while such investigations are underway, its return may have to wait until they have been concluded. Survivors and families/next of kin, who are unlikely to have any prior knowledge of such matters, will understandably find such delays frustrating and it is therefore important that the process – and reasons for the retention of particular items – are explained to them. While it is reasonable to expect that the police will lead on this, it is good practice for railway undertaking staff to check that it has been done and the explanations sufficiently understood.
- 9.2.2 For scene of crime incidents, when the BTP is ready to return personal property it will contact the owners and / or relations to make the appropriate arrangements. If there is a fatality or life changing injury then a police FLO will be involved with the family and take steps to return property. Otherwise there will be an Investigative team working on the incident and the railway undertaking should assign a Single Point of Contact (SPOC) to liaise with this team to co-ordinate return of property.

### **9.3 Return of items from non-suspicious incidents**

- 9.3.1 For non-suspicious incidents, the return of personal property falls to the owning railway undertaking. Support, advice and guidance can be provided by the BTP should this be required, dependant on the scale of the incident and the amount of items involved.

### **9.4 Return of items – respecting the wishes of individuals**

- 9.4.1 In all cases it should be recognised that the process for returning personal property may seem to the owner or next of kin a further invasion of their privacy at a very difficult time. Every step should be taken to ensure that their wishes are known, understood, recorded and acted on to the extent possible and in general promote and support choice and control on their part. In particular:
- i) What property the owner / family wishes to have returned
  - ii) Whether they wish to collect items or have them delivered
  - iii) If collected, when, from where and how they wish items to be collected, noting that a suitable location for this will need to be identified
  - iv) If delivered, when, where and how they wish items to be delivered. Options include by post, by courier, in person (including by a member of the Incident Care Team)
  - v) Who they wish to be present when items are delivered / collected (both from the railway undertaking / rail industry and for personal support, e.g. family members, friends, members of faith communities)

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- vi) In what state they want the property to be returned, e.g. cleaned, restored to original condition, boxed, etc. (cleaned and pressed for clothing) or left as found, i.e. uncleaned
  - vii) For health and hygiene reasons it may not always be possible to comply with requests for items to be returned uncleaned - in such cases, this will need to be explained sensitively
  - viii) Any police or court exhibit tags have been removed
  - ix) All items should be properly and sensitively packaged and presented
  - x) In cases where the BTP is responsible for returning items, there may still be a request for assistance in the return of belongings from the railway undertaking (due to geographical constraints) but this will be under the direction and accompaniment of local police FLO
  - xi) A system / process to transport possessions overseas to foreign countries
- 9.4.2 Where owners or next of kin choose to have items returned in person by a member of the railway undertaking's staff, including by a member of the Incident Care Team, the person delivering them should ask if the recipient(s) wish them to stay while they open the package or whether they prefer them to simply drop them off.
- 9.4.3 In cases where the preference is for the item(s) to be dropped off, consideration should be given to making a follow up call the next day.

### **9.5 Return of items – receipt**

- 9.5.1 In all cases when personal property is returned, the person receiving it should be asked to provide a written confirmation of receipt, which should be retained for a minimum of two years.

## **Part 10 Alternative arrangements**

### **10.1 External assistance**

- 10.1.1 For some smaller railway undertakings it may well be beyond their scope and resources to set up and manage the process of identifying and returning personal property from anything other than the smallest of incidents. It may be the case that even larger organisations would find resourcing and managing these tasks in respect of a large scale incident beyond their capabilities, or else would prefer to have these elements managed by other means.

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- 10.1.2 As part of the national Incident Care Team initiative, RDG contracts on behalf of its members with a major disaster management company<sup>2</sup> which is very experienced in this type of work and able to provide all the logistical / administrative / recording keeping / management processes and resources, etc. needed to lead any / all stages of the process from recovering personal property from the incident site, through storage and identification, to its ultimate return or disposal, liaising as necessary with the appropriate authorities.
- 10.1.3 This service can be activated through the agreement in place between RDG and the supplier and would be charged at the current rates to the owning operator.
- 10.1.4 Other external commercial organisations may also be able to provide this service.

## **Part 11 Supporting staff involved in handling personal property**

### **11.1 Impact on staff**

- 11.1.1 The handling of personal property recovered from incident sites presents challenges for the staff involved. Some of these relate to the nature/condition of items, which may be contaminated (see section 6.2.1 and 8.4) where provision of suitable Personal Protective Equipment should be made.
- 11.1.2 Beyond this, all those involved in the management of such items, from initial recovery through storage and identification and most particularly if personally involved in the returning of items to survivors/family members may be significantly emotionally affected by the circumstances.
- 11.1.3 Support mechanisms, including advice on what reactions staff might expect to experience (i.e. what is 'normal') and when to seek help should be put in place.
- 11.1.4 Prior to being engaged in recovery and management of personal property, staff should be proactively encouraged to make use of such support mechanisms and take the opportunity to discuss their experiences. Putting such arrangements in place from the outset will prevent the need for professional counselling further down the line.
- 11.1.5 Chain of Care arrangements should also be put in place both during and after deployment to monitor such staff, for example by asking line managers to be alert for signs that special support may be needed (such as anxiety, being easily distracted or short tempered, over-emotional, etc.), and make available to them access to professional counsellors.

## **Part 12 Keeping and retaining records**

### **12.1 Record keeping**

- 12.1 It is recommended that records of all catalogued items and details of when, to whom and by whom they were returned (or otherwise disposed of) should be retained for a minimum of seven years from the date of the incident.

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<sup>2</sup> Kenyon International Emergency Services, Inc.

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### Part 13 Further reading

#### 13.1 Additional sources of information

13.1.1 Attention is drawn to the following:

- i) British Transport Police – Family Liaison Officer team – contact via BTP FLO National Advisor (0207 521 6066 / 07919 490365)
- ii) Disaster Action - <http://www.disasteraction.org.uk/> and specifically their leaflet *The Return of Personal Property* – [http://www.disasteraction.org.uk/leaflets/the\\_return\\_of\\_personal\\_property/](http://www.disasteraction.org.uk/leaflets/the_return_of_personal_property/)
- iii) Kenyon International Emergency Services - <http://www.kenyoninternational.com/>