

Rail Delivery Group



RDG-GN041
Issue Two
Date July 2017

Guidance Note – Train Driving Licences and Certificates Regulations

Synopsis

This document provides guidance to assist Railway Undertakings in full implementation of the Train Driving Licences and Certificates Regulations 2010 which is required by 29 October 2018.

Applicability

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

Authorised by

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

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Issue record

Issue	Date	Comments
1	March 2017	Original document
2	July 2017	Incorporating corrections to original text

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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 RSSB website and also daniel.mann@raildeliverygroup.com

Part 2 Purpose and introduction

2.1 Purpose

- 2.1.1 This guidance note explains and details the process by which RDG members can measure compliance with the requirements of the Train Driving Licences & Certificates Regulations 2010 (as amended) (TDLCR). Under TDLCR (Part 2) Railway Undertakings are responsible for making sure that anyone they allow to drive a train on the mainline railway has a valid licence and certificate.
- 2.1.2 The guidance aims to assist RDG members in preparing for full implementation of TDLCR by 29 October 2018 and comply with the requirements of this legislation once fully implemented.

2.2 Introduction

- 2.2.1 This document applies to all RDG members who employ train drivers, driver managers, trainers and examiners of train drivers. It also applies to those who are responsible for overseeing the work carried out by doctors and psychological practitioners who assess whether train drivers are fit to drive. This guidance does not apply to Northern Ireland.

TDLCR does not apply to drivers employed to work only:

- i) In engineering possessions.
- ii) On metros (for example London Underground), tramways and other light rail systems.
- iii) For heritage operations.

- 2.2.2 Depot Drivers – The following text is taken from the ORR website and its ‘Position Statement’ on Depot Drivers which was revised and updated in February 2017:

The Train Driving Licences and Certificates Regulations 2010 are not intended to apply to depot railway operations.

At certain depots, there are activities that are (in essence) part of the operations of the depot, but which occur outside the boundary of the depot. So, at certain depots, the depot drivers or shunters enter Network Rail infrastructure under secure protection and with the agreement of Network Rail for the short distance to the first signal or junction head and also to the nearest railway station to deliver empty passenger trains. Under no circumstances does the distance travelled exceed 10 miles or the speed limit exceed 50 miles per hour. At these times the activity is, in essence, part of the operations of the depot.

Therefore, under these specific circumstances, and knowing the intent of the Regulations, ORR will not require the train driver to hold a train driver licence under the Regulations.

This only applies where that depot driver or shunter is carrying out operations for the movement of trains:

- i) *Within the depot, or*
- ii) *To the first signal or junction head, or*
- iii) *Delivering empty trains into railway stations.*

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The depot driver or shunter is still expected to meet the appropriate competency and fitness standards to carry out driving operations within the depot and the operator is responsible for monitoring their continued competence and fitness.

Therefore – the above information regarding Depot Driver updates TDLCR Guidance Clause 1.8 & Annex 'E'.

The update can be found at:

<http://orr.gov.uk/what-and-how-we-regulate/licensing/train-driving-licences-and-certificates>

Part 3 Background

3.1 TDLCR history

- 3.1.1 The TDLC Regulations became effective for new drivers from 29 October 2013 and comes into force for existing drivers from 29 October 2018. Information on the TDLC Regulations can be found on ORR's website. A link is provided below:
<http://www.rail-reg.gov.uk/server/show/nav.2447>
- 3.1.2 ORR has also produced its own guidance:
http://orr.gov.uk/_data/assets/pdf_file/0003/4998/train-driving-licences-regulations-guidance.pdf

Part 4 Railway undertaking requirements & guidance - recruitment

4.1 Offer of employment to a person with no previous (or expired) train driver experience

- 4.1.1 Prior to offering a person a role as a train driver, or any associated role that requires train driving competency, the Railway Undertaking should consider that a train driver licence can only be applied for if the following conditions are met:
- i) That the individual is at least 20 years of age.
 - ii) That the individual has completed at least 9 years education (primary and secondary).
 - iii) That the individual has passed the psychometric assessment conducted by a Recognised Psychological Practitioner.
 - iv) That the individual has passed the relevant Medical conducted by a Recognised Doctor.
 - v) That the individual can understand (both listening and reading) and communicate (both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe.

This applies to applicants regardless of nationality and whether they reside in GB or elsewhere.

TDLCR Part 3 Regulation 8

Note: TDLCR guidance (clause 5.9) requires that the psychological assessment is successfully passed PRIOR to the medical assessment.

Guidance Note

At the recruitment stage the onus is on the railway undertaking to check:

- *That the individual is legally entitled to work in the UK.*

When a Railway Undertaking (or individual) applies for a driving licence, they are asked their place of birth, nationality and native language. A copy of their passport/national ID card is also required. However you do not need to provide this copy if the application for a licence is being made online through ORR's SharePoint Portal.

TDLCR guidance Annex 'A' Clause 2.19 and Part 4 clause 1.7.

4.2 Offer of employment to an existing GB driver

- 4.2.1 For an existing train driver (or manager with train driving competence) who is recruited from another GB Railway Undertaking, Appendix 'B' of RIS 3751 should be received, which will detail whether the person is the holder of a European train driving licence.

Appendix 'B' of 3751 states that currently for employed drivers (who hold a licence), their license number and category of certificate held should be entered on this form.

- 4.2.2 Drivers who are not currently employed should attach a copy of their license and a **certified copy** of the European Train Driving Certificate as per Office of Rail Regulation (ORR) Guide to the Train Driving Licences and Certificates Regulations Annex B5. This should have been requested by the driver and *issued by their previous employer.*

4.3 Offer of employment to an existing EU (non-GB) driver

- 4.3.1 *For an existing train driver (or manager with train driving competence) who is recruited from a non-GB Railway Undertaking, a copy of their license should be received. A **certified copy** of their European Train Driving Certificate should also be received – though of course it may not be in English and may require translation.*
- 4.3.2 There is no requirement for the individual to undergo another psychometric test, as this will have been completed as part of the issue of the EU licence in line with the countries procedures.

Guidance Note

The Rail Industry Standard (RIS) 3751 provides requirements and guidance on the selection process for train driver candidates who will drive on the GB mainline network. It has been developed for any member of RSSB to adopt if they wish to do so.

A Railway Undertaking may find it prudent to check with ORR whether a licence is still valid before offering employment to a driver who is not currently employed. Whilst this is not a requirement, as if no longer valid the licence should have been withdrawn or will be 'time-expired', at the pre-employment stage this check may inform and assist the recruitment process.

Note: ORR will check the validity of EU issued licences when requested by the Railway Undertaking.

A Railway Undertaking may also find it prudent that for existing drivers it checks the actual documents (licence/certificate) prior to an offer of employment. This may be particularly relevant for a non-GB driver who is not a licence holder but may have had a psychometric test and still have a valid medical assessment (note – this will only be a possibility until October 2018).

Annex B5 of [ORR guidance](#)

4.4 Language requirements

4.4.1 Where English is not the person's first language, the Railway Undertaking should either:

- i) Enhance their recruitment process for the individual through using scenario based interview techniques. These must cover verbal and written language skills or:
- ii) Ensure that the language requirements (Level B1) are met prior to the awarding of the complementary certificate.

4.4.2 The Railway Undertaking can measure the person's linguistic abilities through the training and examination process to ensure that level B1 of the Common European Framework of Reference for Languages (CEFR) is met. (**See Figure 1 for guidance**)

TDLCR Part 3 Regulation 8 2015 Amendments

Guidance Note

Whilst language requirements are part of the awarding of a complementary certificate (Schedule 4 Part 8) it may be useful to assess this at the recruitment stage. Establishing the applicant's first language is useful, and for those for whom this is not English, the B1 test can be applied. For Railway Undertakings who apply the Rail Industry Standard (RIS) 3751 psychometric test, this can be used to prove language skills with the following adaptations:

- *Verbal communication is assessed to a similar level to B1, but written communication is not. It is also worth noting that an applicant can pass the RIS 3751 psychometric test but score level 3 on verbal communications, which requires the Railway Undertaking to further develop that individual in this area during the training period.*

Therefore

- *If the RSSB psychometric test is used instead of B1, written communication should form part of the driver training course and assessment prior to the awarding of the complementary certificate*
- *If an alternative psychometric test is used then either the B1 test or an equivalent alternative should be used to assess language skills.*

It is acknowledged that cross-border operators have had alternative systems in place for many years which satisfy the relevant infrastructure managers (IM) which cover where more than one language is required.

The European Parliament has determined that a derogation process is necessary and CER has worked (with others) with the Agency (ERA) to work out what that process should be. At the time of writing of this guidance note, the European Parliament is waiting for the European Commission to publish the final derogation process and associated application tools. The process will be based on provisions of “COMMISSION DIRECTIVE (EU) 2016/882 of 1 June 2016 amending Directive 2007/59/EC of the European Parliament and of the Council as regards language requirements” and with reference to applied measures implemented by an effective bilateral agreement.

Cross-border operators should therefore be able to demonstrate that alternative written procedures are in place and that they are accepted as safe by the relevant IMs for their areas of operation. The application tool (once available) should automate this process. If such operators elect not to derogate, they will need to comply with written B1 language as well as oral B1 requirements.

See also Figure 1 for guidance.

Figure 1 – *Meeting the requirement that the individual can understand (both listening and reading) and communicate (both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe*

Key:

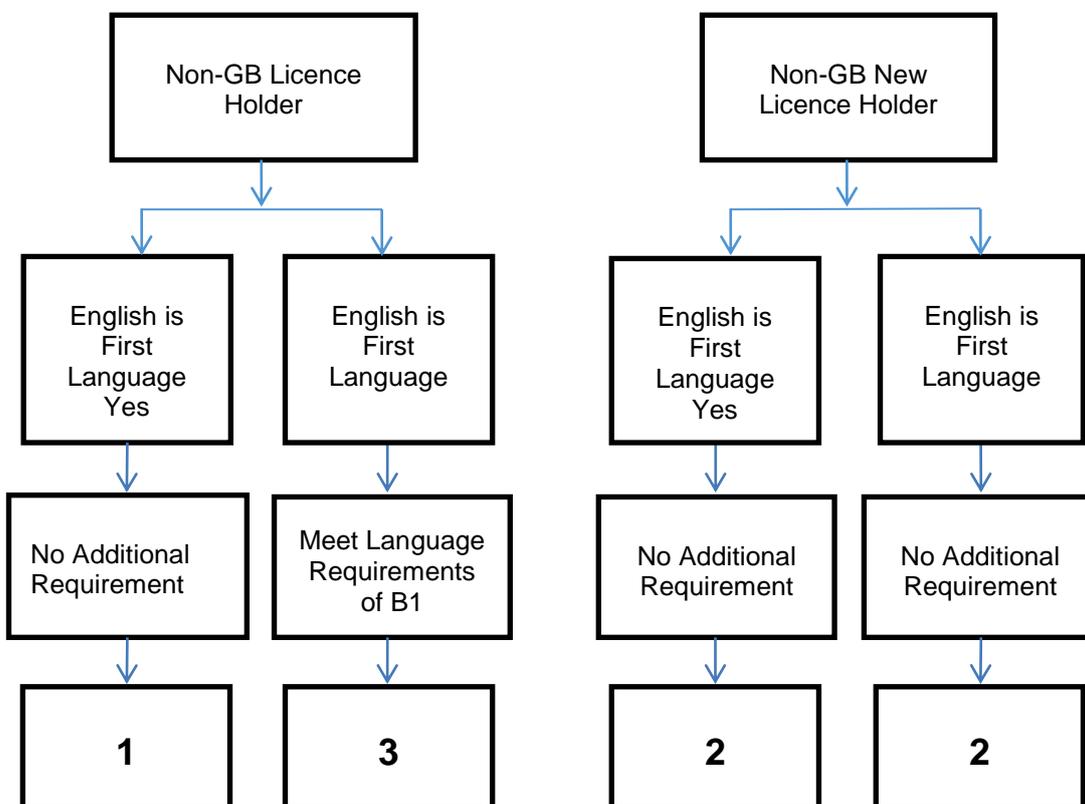
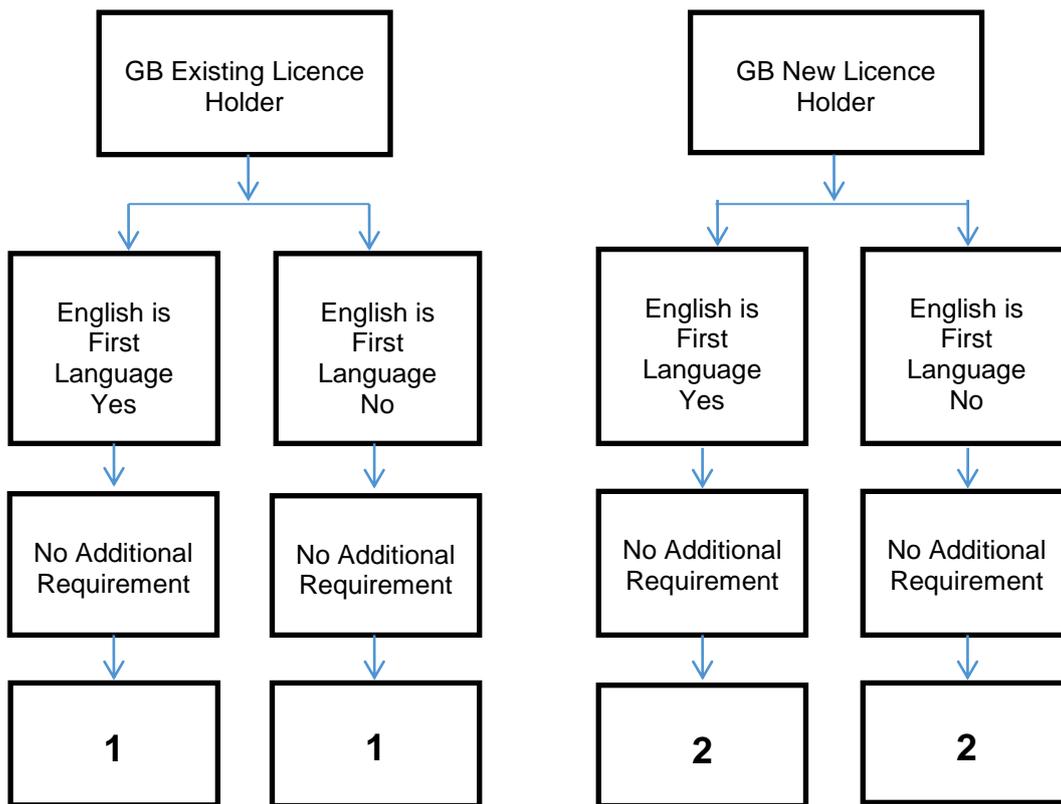
(1) Able to demonstrate Existing English Language Competence through Training and Assessment to be awarded a Railway Undertaking's Complementary Certificate.

(2) Able to demonstrate English Language Competence through the Recruitment process including Psychometric Testing, and also the Training and Assessment process, to be awarded a Railway Undertaking's Complementary Certificate.

(3) Able to demonstrate English Language Requirements through enhanced interview techniques or training and assessment prior to the awarding of the complementary certificate.

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Part 5 Recognition

5.1 Submission statement

- 5.1.1 If a Railway Undertaking delivers 'in house' medicals or psychological assessments, then the individuals must meet the requirements of TDLCR and be recognised by ORR.
- 5.1.2 If a Railway Undertaking delivers 'in house' training and/or examinations, then their training facilities are required to be recognised by ORR.
- 5.1.3 To document the details to obtain recognition, a 'submission statement' must be prepared and submitted to ORR. This statement should include references to key documents that set out the Railway Undertaking's methods, processes and standards in further detail. *See Appendix C for full details of items for inclusion in this document.*
- 5.1.4 Once approved, the ORR will issue a 'letter of recognition' to the Railway Undertaking, and whilst the ORR do not require updates (for instance when new trainers are appointed) they expect the document to be updated internally when changes occur.
- 5.1.5 If the Railway Undertaking uses external providers for medicals, psychological assessments, training and examination, then a submission statement is not required. The Railway Undertaking must, however, ensure that any providers used are 'recognised' by the ORR and appear on the public register.
- 5.1.6 There is a [link](#) to the register of recognised doctors, psychometric practitioners, training and examination centres on the ORR website under recognition of assessors.

5.2 Safety certificate

- 5.2.1 Where the training or examination centre is part of a train or freight operating company, and is solely used to train and examine their employees, the request for recognition can be included as part of an application for a safety certificate under The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended). In the case of an established holder of a safety certificate, a statement should be provided to show explicitly how the requirements for training and examination of drivers are met as part of their Safety Management System (SMS). The renewal of recognition of training and examination centres would be part of the application for a new safety certificate.

*TDLCR Regulations 7 & 8
TDLCR Guidance Annex 'C'*

Part 6 Training

6.1 Driver training course

- 6.1.1 TDLCR part 8 Regulation 29 requires that the driver training course meets the requirements of:

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- i) Schedule 3 - General Professional Knowledge and requirements regarding the Licence.
- ii) Schedule 4 – Professional knowledge of Infrastructure requirements and Requirements regarding the Train Driving Certificate.
- iii) Schedule 5 – Professional Knowledge of Rolling Stock and requirements regarding the Train Driving Certificate.

6.1.2 Furthermore, Schedule 7 requires that training contains a good balance between theoretical and practical training. It also gives advice that simulators are advocated for out-of-course situations, and that computer-aided training may be used. For the acquisition of route knowledge, it advocates a combination of riding with another driver in daylight and darkness, along with the use of DVDs and other learning aids.

TDLCR Part 8 (29) requires that driver training 'includes instruction on train driving licences'.

Guidance Note

Driver training could include a short session on the origins of the legislation, the difference between a licence and certificate, and what the driver's responsibilities are (see clause 12.3).

6.2 Driver training centre

6.2.1 In order to carry out train driver training, TDLCR requires that a Railway Undertaking registers with ORR as a 'recognised training centre'. Registration is valid for 5 years. Once registered, an up to date list of the centre's trainers should be kept.

*TDLCR Regulations 30 & 31
TDLCR Guidance Annex 'C'*

6.3 Driver trainers – non licence holders

6.3.1 Parts of driver training may be delivered by a person who does not hold a licence. They will however, have the required subject knowledge and meet the Railway Undertaking's CMS requirements in regard to the qualifications to deliver training.

Guidance Note

A non licence holder can deliver classroom-based theory training, or static traction training. This would include subject matter such as rules and regulations, traction show-around and identification of parts, human factors, customer service etc. Use of a simulator as a training aid, or practical training on a line where the operation of train does not require a licence can also be delivered by a non licence holder subject to the Railway Undertaking's CMS requirements.

A trainer who does not hold a license cannot deliver any form of practical handling training on the mainline.

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6.4 Recognised trainer

- 6.4.1 A 'recognised trainer' is a person who can carry out any part of driver training. They must be a licence and certificate holder and have held competence in driving for 3 years. They will have the required subject knowledge and meet company CMS requirements in regard to the qualifications to deliver training, and can deliver all aspects of training they are qualified for. Practical training (on the mainline) relating to the (initial) award of the licence and certificate for infrastructure knowledge, including route knowledge and operating rules and procedures may only be provided by a recognised trainer.

*TDLCR Regulations 30 & 31
TDLCR Guidance Annex C3*

Guidance Note

For the initial award of a licence and certificate, a recognised trainer can carry out all aspects of training, and must be used for practical handling on the mainline railway prior to a trainee being allowed to progress to hours accumulation with a 'minder' (Coach). However, with regard to route knowledge, the training referred to in clause 6.2.2 would be (as a minimum) the practical part of 'principles of route learning' and the signing of the first route.

The same principle applies to traction. The Practical Handling part of Traction training for the initial award of a certificate must be done by a recognised trainer if carried out on the mainline railway. Subsequent traction training is carried out in line with a Railway Undertaking's CMS.

Both route and traction knowledge are part of schedules 4 & 5, and therefore the awarding of the complementary certificate. Hence initial training in both must be carried out by a recognised trainer.

6.5 Examination centre

- 6.5.1 In order to carry out examinations, TDLCR requires that a Railway Undertaking registers with ORR as a 'recognised examination centre'. Registration is valid for 5 years. Once registered, an up to date list of the centre's examiners should be kept.
- 6.5.2 TDLCR states that the Railway Undertaking must 'devise and approve professional knowledge exams for rolling stock and infrastructure'.

TDLCR Guidance Annex C4 & C5

Guidance Note

It is expected that most Railway Undertakings will register as 'Training and examination' centres therefore documentation relating to clause 6.2 and 6.3 would be combined.

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6.6 Recognised examiner

- 6.6.1 Examination Centres must ensure that Examiners:
- i) Have a thorough knowledge of the relevant examination methods and examination documents.
 - ii) Keep their professional competences regarding the subjects they examine updated.
 - iii) Are familiar with the certification scheme for train drivers.
- 6.6.2 Examiners must be a licence and certificate holder and have held competence in driving, (or a combination of driving and driver management experience) for 4 of the previous 5 years. They will also comply with the company CMS requirements in regard to the qualifications to carry out examinations (and assessments).
- 6.6.3 If an examiner does not hold the traction or route competence then another driver is required to be 'present for the examination' (in order to provide the subject matter expertise for the route/ traction being assessed). The examiner can in this instance only make a judgement on areas of competence that they themselves hold.
- 6.6.4 The lead examiner should not have been involved in the training of a candidate.
- 6.6.5 A recognised examiner must be used for examinations for the award of the licence and certificate. This includes principles of route learning and initial route and traction knowledge. Subsequent route and traction assessments are carried out in line with a Railway Undertaking's CMS.

*TDLCR Guidance Annex 'C'
Commission Decision 22nd November 2011 Articles 7, 8 & 9*

Guidance Note

If a qualified assessor (in line with the company SMS) supplies evidence to the examiner for instance for route or traction knowledge, the examiner can use this evidence in their decision even if they did not witness the evidence being gathered. In order to make a judgement on evidence gathered without the examiner being present the examiner must have the appropriate qualification; for example A1 or equivalent.

Lead Examiner – This is where more than one person is involved in the examination(s) and should not have been substantially involved in the training of the candidate. This would not include such as assisting in a traction show round. (See also clause 6.3.2.).

The term 'examination' is one used throughout the TDLCR legislation and guidance and signifies the process through which a decision is made on the initial award of a licence and certificate.

The TDLCR legislation and guidance also refers to the ORR document 'Developing and Maintaining Staff Competence' (RSP1) as best practice in competence management. RSP1 refers only to 'assessments'.

Therefore, for the purposes of this guidance it should be noted that an assessment is the same as an examination both in terms of process and required knowledge and/or performance outcome.

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6.7 Dual role

- 6.7.1 A 'recognised examiner' may also be a 'recognised trainer', but cannot examine an individual they have trained, see clause 6.3.1 guidance (above).

Guidance Note

Provided the differing competence requirements are met a person can carry out both roles. If this is required, for clarity it may be useful if the individual is registered for each role, and that this is shown in the railway undertakings submission statement.

TDLCR Guidance Annex 'C' & advice from ORR

6.8 Driving Instructor

Guidance Note

Whilst all driver instructors (or equivalent grade/title) involved in the accumulation of hours for a trainee driver prior to qualification must have a licence and certificate by October 2018, there are no further competence requirements under TDLCR than those already covered in the Railway Undertaking's Competence management System.

6.9 Professional competence

- 6.9.1 TDLCR requires that all persons involved in driver training and examinations must have occupational competence in the subjects they deliver, and have adequate qualifications and experience to provide training. These will meet the Railway Undertaking's CMS, which should also comply with the requirements of the ORR guidance on developing and maintaining staff competence with regard to professional qualifications (principle 6).

*TDLCR Regulations 30 & 31
TDLCR Guidance Annex 'C'
Commission Decision November 2011 Articles 4 & 7
ORR Guidance on Developing and Maintaining Competence*

Part 7 Awarding of a Train Driver Licence and Complementary Certificate

Important Note: The terms 'driver' in the following clauses applies equally to any person employed in an associated role – e.g. driver manager – who maintain train driving competency

7.1 Overview of the knowledge required for the licence, and the complementary certificate

Licence	Certificate	
General knowledge (Schedule 3)	Infrastructure (Schedule 4)	Rolling Stock (Schedule 5)
<ul style="list-style-type: none"> • Principles of operation • Understanding of risks • Safe behaviours 	<ul style="list-style-type: none"> • How the infrastructure works • Route knowledge • Operating rules • Emergency procedures and degraded working • Language skills 	<ul style="list-style-type: none"> • How the rolling stock works • Carrying out checks and test prior to departure • Driving safely • Dealing with malfunctions and emergencies

- 7.1.1 Providing the medical and psychological assessment requirements have already been met*, Railway Undertakings can apply for a train driver licence for an individual upon completion of the 'general knowledge' (schedule 3). It is up to the individual Company to decide at what point in training this is when schedule 3 requirements have been met. Railway Undertakings must only issue a licence when the individual successfully completes the general knowledge (schedule 3) requirements and passes the relevant examination. The awarding of the licence must be done by a Recognised Examiner.
- 7.1.2 When a driver is issued with their licence, the Railway Undertaking should ensure that they are aware of their responsibilities under the legislation, either through the driver training course or a separate briefing.
- 7.1.3 Railway Undertakings must only issue a complementary certificate when the individual successfully completes the infrastructure and rolling stock (schedules 4 & 5) requirements and passes the relevant examination. The awarding of the certificate must be done by a Recognised Examiner.
- 7.1.4 A Driver may have more than one certificate if they work for more than one employer. Railway Undertakings decide an acceptable level of knowledge and performance to prove competence at each stage in line with existing arrangements in their CMS.

*TDLCR Part 8(29) & (31) and Schedules 3, 4 & 5
 TDLCR Guidance Clauses 1.14, 1.19 3.5, 4.2 & 4.3*

Guidance Note

This document assumes that the Railway Undertaking will have dealt with the medical and psychological tests at the recruitment stage (section 4 of this document).

Whilst it is usual in the GB for Railway Undertakings to apply for the licence on behalf of a driver, it is worth noting that the application can be made directly by a driver.

In terms of schedule 3 - this is around principles - one train in a section at any one time, types of signalling, layout of track etc. In other words this part is NOT route or Traction specific, but a general understanding of principles. The certificate - which the RU awards and covers schedule 4 & 5 is where specific route and traction knowledge applies, for instance different types of block and how they work, the rules that apply to a specific type of signalling, details of different traction types etc. The companies CMS will specify these requirements.

The above covers the initial award of the licence and certificate, for ongoing competence (re-certification) see clause 7.3.

7.2 Existing drivers

- 7.2.1 An existing driver (including non-GB Railway Undertaking) is deemed to meet the conditions of schedule 3 and as such the Railway Undertaking can apply for a licence on their behalf and then award the complementary certificate in line with the Company CMS. An existing driver who transfers from another operator who does not hold an EU licence will be dealt with in the same way. All drivers **MUST** hold a licence and certificate by 29 October 2018.
- 7.2.2 A driver who transfers from another operator with an EU licence (including non-GB Railway Undertaking – see clause 4 regarding language) will require to be certified under the Railway Undertaking's own competence management system before being issued a complementary certificate.
- 7.2.3 However, in both cases, whilst there is no requirement for an existing driver to have another medical before a licence application, it is subject to the individual meeting the more frequent medical re-assessment requirements – see clause 8.
- 7.2.4 There is no requirement for an existing driver to re-sit the psychometric assessment.

*TDLCR Part 14 Regulation 39
TDLCR Guidance Clause 4.7 & 5.3*

7.3 Keeping the Licence and Certificate valid

- 7.3.1 The Directive requires that each Member State's national safety authority should act as the 'competent authority' for train driver licensing and certification. The Office of Rail & Road (ORR) is the National Safety Authority in Great Britain.
- 7.3.2 In order to keep the licence valid, a driver must pass the regular medical assessments, and keep their competency up to date. Each Railway Undertaking must keep the ORR informed of this information and of any changes to medical fitness or a person who changes employer or ceases work as a train driver.
- 7.3.3 The Licence is issued by ORR and is valid for 10 years if all requirements are met. It proves a person has passed the medical and psychometric requirements, and has general railway knowledge. This licence is valid across Europe.
- 7.3.4 Railway Undertakings must have a procedure for giving their drivers complementary certificates to confirm that they meet the language requirements, and have the skills, knowledge and abilities needed to drive trains for their specific operation. Employers must keep a register of certificates they issue.

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- 7.3.5 The certificates are a standard format across Europe, and each individual Railway Undertaking will issue a complementary certificate that will detail route and traction knowledge as well as overall competency. This is the authority to drive trains for a specific Railway Undertaking.

*TDLCR Regulations 12 to 15
TDLCR Directive 2007/59/EU Article 16
TDLCR Guidance Clauses 4.23 & 4.24
ORR Guidance on Developing and Maintaining Competence*

7.4 Updating & re-certification of the Complementary Certificate

- 7.4.1 Upon successful completion of the Railway Undertaking's training course and the awarding of a licence and certificate, subsequent additional knowledge such as additional routes and/or traction may be added. Ongoing assessments of competence will also take place in accordance with the RU's competence management system. These assessments can be carried out by an assessor as determined in the Railway Undertaking's competence management system.
- 7.4.2 Routine reassessments of general knowledge are not required if the driver continues to work under a safety management system that ensures drivers remain competent. Reassessment may be needed after an accident or incident, or after a person has not been employed as a driver for a significant period.
- 7.4.3 Under TDLCR a driver must be re-certified for competence at least every 3 years, this must include rules, route and traction.
- 7.4.4 Re-certification is also required after a driver has not driven the relevant rolling stock, or over a relevant route, for more than one year, (should this competence be required to be maintained).

*TDLCR Regulation 15 & Schedule 6
TDLCR Guidance clause 4.8*

Guidance Note

It may be good practice for the assessor to check on each assessment that the driver is carrying their licence and certificate, and that these are both in date and accurately reflect the driver's competence. This would assist in complying with TDLCR regulation 17 with regards to monitoring and TDLCR guidance clause 2.9.

The Railway Undertaking's CMS should detail how competence in rules, routes and traction will be re-certified. In terms of route and traction, it is anticipated that Railway Undertakings will already have minimum frequencies in place to maintain competence, and drivers are aware of their responsibility to request a 'review' if the frequency is not maintained.

Therefore re-certification should assess tasks and knowledge not observed, for instance rules around emergency situations. For rules, routes and traction where competence has been demonstrated and maintained then this process is of re-certification not re-assessment. For re-certification however, a lesser degree of random knowledge checks is advised to ensure that the driver knowledge is up to date.

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7.5 Loss of Licence or Certificate

- 7.5.1 If a driver reports losing or reports for duty without their licence and/or certificate, then arrangements should be made by the Railway Undertaking for a temporary licence/certificate to be issued.

TDLCR Guidance clauses 2.8 and 3.6

Guidance Note

A system to issue temporary duplicates licence and/or certificate is advised. This would include arrangements for issuing 'Out of hours'. Dating temporary licences and certificates for a maximum of 14 days whilst a replacement is obtained and issued also maintains focus on the issue. If this is not possible, then the duplicate could be re-authorized for a further 14 days. This will ensure that the driver can continue to drive whilst the lost items are being replaced.

7.6 Licence and certificate characteristics

- 7.6.1 A train driving certificate must show the categories of train which the train driver may drive comprising either or both of:

- (a) Category A – shunting locomotives, work trains, maintenance railway vehicles and all other locomotives when they are used for shunting; and
- (b) Category B – trains for the carriage of passengers or goods or both.

TDLCR Guidance Annex B3 (3)

Guidance Note

A 'work' train is one used to assist in the maintenance of the infrastructure. A driver can be shown as qualified for both categories. The TDLCR guidance in Annex B3 also shows certain sub-categories that Railway Undertakings could adopt if they wished, however these are not mandatory.

Part 8 Medical Assessments

8.1 Medical Requirements

- 8.1.1 Schedule 1 of TDLCR details the medical examination that a recognised Doctor will apply. This is an increased frequency to that previously required in the UK, and the medical itself has some minor differences. Therefore, to apply for a licence for a new driver– they must have met the medical standard required under schedule 1 of TDLCR carried out by a person listed by the ORR as a recognised doctor. Upon successfully passing that medical, the driver must comply with the (increased) frequency of medical assessments.
- 8.1.2 There is no requirement for an existing driver (GB and non-GB) to have another medical before a licence application, but this is subject to the individual falling within the more frequent medical re-assessment requirements.

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8.2 Frequency of medicals

- 8.2.1 Railway Undertakings must ensure that re-certification of medical fitness for train driver's takes place every 3 years, and annually after the age of 55 (i.e. in the past year prior to age 56). The Doctor may request a more frequent re-assessment if the health of an individual so requires (review medicals).

*TDLCR Schedule 1
TDLCR Guidance Section 5*

Guidance Note

This means for instance, that if a 54 year old driver has a medical in 2017 to obtain a licence, this will only be valid for a maximum until the driver's 56th birthday. At age 55, the driver must transfer to the annual medical requirement. Once 56, the driver must have had a medical within the previous 12 months.

For a PQA driver, the last medical may have been some time before commencing driver training, so when 'passing out' a driver, care must be taken to ensure correct medical dates are entered into a company system.

The TDLCR way of whether a medical is in date is retrospective, that is to say the driver's age is ascertained, and then the question asked if a medical has been passed in the previous 3 years if the driver is under 56, and within one year when the driver is 56 or above.

It is recommended that Railway Undertakings review carefully the requirements for the additional medicals when planning for full implementation of TDLCR by 29th October 2018. A staged approach to the medicals may be appropriate.

The Railway Undertaking may also wish to review establishments when the increased medical frequency is implemented fully.

8.3 Additional Medicals

- 8.3.1 Railway Undertakings may request that a medical examination takes place after an occupational accident or any period of absence following an accident involving persons.
- 8.3.2 Railway Undertakings must ask a recognised doctor to check the physical fitness of the train driver if the employer has to withdraw the driver from service for safety reasons.
- 8.3.3 The recognised doctor can decide to carry out an additional appropriate medical examination, particularly after a period of at least 30 days' sick leave.
- 8.3.4 Railway Undertakings may also need a driver to have a medical assessment when one is not due if any of the following apply that would potentially impact on their medical fitness to drive:
- i) Ongoing monitoring and management raises questions about the driver's fitness to drive.
 - ii) The driver tells the employer that they have concerns about their own health.

*TDLCR Schedule 1
TDLCR Guidance clause 5.16*

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Guidance Note

8.3.1. – Occupational accident would be a personal accident, and an accident involving a person would be such as a person struck/suicide type incident. The RU should consider whether a medical is required in line with current procedures.

8.3.2. - Regarding a post incident medical, it is expected that the Railway Undertaking will have written guidance already in place.

A Railway Undertaking may decide to temporarily remove a driver post incident in order to establish the facts. If the Railway Undertaking then removes the driver from safety critical duties pending completion of the investigation, a medical is required. If the driver is able to return to normal duties after the initial fact finding then a medical is only required if the Railway Undertaking requires it.

8.4 Failure of a medical

8.4.1 In the event of a driver failing a medical, the ORR must be informed by the Railway Undertaking and the licence status will be changed to 'suspended'. If there is a possibility of fitness being regained, notification must be given to the ORR that a re-assessment has been passed within 12 months to restore validity.

8.4.2 If there is no possibility of fitness being regained the licence status will be changed to withdrawn by (ORR).

TDLCR Guidance clauses 2.11 & 2.22

Part 9 Driver Licences – Amendments & Withdrawals

9.1 Railway undertaking contact

Guidance Note

In order to comply with the requirements of the TDLCR guidance with regard to notifying the ORR of the following, it may be of benefit for a Railway Undertaking to clearly identify who in the organisation is responsible for:

- *Liaison with the ORR regards licence applications and completion of the application form*
- *Once the licence is received from the ORR sending the licence to the employee*
- *Collation of all necessary information and issue of licences and certificates*
- *Revising and updating of licences*
- *Renewal of licences*
- *Withdrawal of licences*
- *Liaising with area/local managers (as appropriate) for information updates*

9.2 Revised Licence

9.2.1 A revised licence must be applied for if:

- i) The driver's name changes.
- ii) The driver needs a new photograph on the licence.

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- iii) The driver's medical details relating to sight or hearing need to be changed.
- iv) The licence needs to be renewed after 10 years.
- v) The licence is lost, stolen or destroyed.

9.2.2 Whilst awaiting the new licence the driver can continue to use the existing one or copies of the relevant documentation.

TDLCR Guidance clause 2.13

9.3 Updating a Licence – keeping the ORR informed of changes

9.3.1 The Railway Undertaking must inform the ORR in the event of a change in circumstances that requires the register to be updated, these changes are:

- i) Driver leaves the Company or moves to another role where it is no longer required.
- ii) An existing driver from another train operator transfers to the Company.
- iii) A licence was applied for a trainee driver, but the trainee fails to qualify as a driver.
- iv) A driver has suffered a work incapacity for a period of more than 3 months.
- v) An amendment to the driver's personal details.
- vi) The death of a driver.
- vii) Notification of the results from a driver periodic medical

TDLCR Guidance Clause 2.11

Guidance Note

The ORR has requested that Railway Undertakings 'batch' this information by sending them information to update the licence database on a three-monthly basis.

Common practice is for RUs to do this on behalf of the driver, but it should be noted that some of the requirements contained within the legislation place responsibilities on the driver – see clause 12.3 for specific driver responsibilities

9.4 Withdrawal of a Driver Licence

9.4.1 The Driver Licence belongs to the driver, and as such a Railway Undertaking cannot withdraw the licence. If a Railway Undertaking becomes concerned that a driver is no longer competent, or is not medically or psychologically fit to drive trains for the following reasons:

- i) Monitoring the driver under safety or competence management systems.
- ii) Following an investigation into an accident or an incident.
- iii) Where issues relating to the driver's health are identified by other means.
- iv) Where a driver's misconduct or involvement in a criminal activity raises questions regards their general suitability.

9.4.2 The Railway Undertaking must inform the ORR in writing and provide evidence of its reasons for suggesting withdrawal.

TDLCR Guidance Clause 2.22

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9.5 Appeals against the withdrawal of a Driver Licence

- 9.5.1 If the ORR suspends a licence, they will inform the train driver what is required to get their licence back. The ORR will withdraw a licence if:
- i) A recognised doctor or psychologist tells them in writing that a driver is no longer fit to drive trains, and will not become fit to drive again, or
 - ii) If the licence has been suspended for 12 months and the driver has not taken the necessary action to get their licence back.
- 9.5.2 If a driver has had their licence withdrawn, they will need to apply for a new licence if they want to drive trains again. However, they would need to provide evidence that circumstances had changed to enable this to occur.
- 9.5.3 If a driver wishes to appeal against the withdrawal of their driver licence this must be made to the secretary of State for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR.

TDLCR Guidance Clauses 2.27 – 2.31

Guidance Note

There is no requirement for the ORR to inform a Railway Undertaking regarding the details of the above.

Part 10 Train Driver Certificate – Amendments & Withdrawal

10.1 General

- 10.1.1 The Train Driver (complementary) Certificate is issued by, and remains the property of, the Railway Undertaking who issues it.
- 10.1.2 If a driver leaves the employment of a Railway Undertaking, the certificate immediately ceases to be valid and should be returned to the Railway Undertaking; however the driver must be given a certified copy of their train driver certificate – refer to Annex B5 of the TDLCR guidance.
- 10.1.3 Drivers employed under contract, either independently or through an agency, may find that their work for a train operator frequently ends and starts again. To deal with this situation, TDLCR states that if the driver returns to the employer within 12 months, the Railway Undertaking can choose to 'reactivate' that driver's certificate and re-issue it, as long as the employer is satisfied that the driver is still competent.

TDLCR Guidance Clause 3.7 & 3.8 & Annex B5

Guidance Note

When a driver leaves a Railway Undertaking, they keep the licence as it belongs to them. The Railway Undertaking must give them a certified copy of certificate, using the form in Annex B5 of the TDLCR guidance, whether or not the driver is going immediately to another driving position.

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10.2 Amendments to the Certificate

- 10.2.1 If a driver fails to maintain competence due to an assessment failure or no longer signing a route or traction, the certificate should be suitably endorsed. Failing to maintain one element of competence (for example no longer signing a particular route) does not mean that the driver's entire certificate has to be removed. Instead, a note should be made on the certificate to show that the particular competency is no longer held.

TDLCR Guidance Clause 3.10

10.3 Withdrawal of the Certificate

- 10.3.1 It may become necessary to temporarily suspend or withdraw the certificate, or for the suspension/withdrawal to be permanent.
- 10.3.2 The Railway Undertaking should have a system in place to manage this.

TDLCR Regulation 5(16)

Guidance Note

TDLCR is mainly silent on this subject, but it is expected that Railway Undertakings already have established systems in place should it be necessary to remove a driver from driving duties for any reason. There is a requirement in clause 3.9 of the guidance that if an assessment is failed then retraining and re-assessment is needed. The Railway Undertaking's competence management system will likely cover this in line with the ORR Guidance on Developing and Maintaining Competence principle 12 managing sub-standard performance.

If a Railway Undertaking removes a certificate temporarily pending completion of an investigation they do not need to inform the ORR until the investigation is complete and the removal is permanent). If removed, a copy of the certificate would not be issued to the individual.

A Railway Undertaking must give written notice to the ORR when a person ceases to be employed by them as a train driver. This may be due to one of the reasons in clause 9.4 which has resulted in removal of their certificate.

10.4 Appeal against the withdrawal of a Driver Certificate

- 10.4.1 If a driver wishes to appeal against the withdrawal of the complementary certificate, the Railway Undertaking must have a system in place to allow this. The way in which an appeal is made should be published on the Company website and in the appropriate employee handbook.
- 10.4.2 If the driver is not satisfied with the outcome of the withdrawal of a certificate they may appeal to the ORR. However, the ORR will not consider any appeals until all internal appeals procedures have been followed and completed.
- 10.4.3 The ORR will also not hear appeals relating to the outcome:
- i) A medical or psychological assessment carried out by, or supervised by, a recognised doctor or psychological practitioner; or
 - ii) An assessment of competence carried out by, or supervised by, a recognised training centre and/or examiner/examination centre.

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- 10.4.5 In these cases, the person or organisation that made the decision should have their own appeal procedure for the driver to follow.
- 10.4.6 The conditions for appeal are detailed in the ORR document 'appeals relating to train driver certificates' available on the [ORR website](#).

*TDLCR Part 4(11)
TDLCR Guidance Clause 3.11 to 3.14 & Annex 'D'*

Guidance Note

It could be beneficial if a Railway Undertaking's internal SMS states that it requires an examiner to make or supervise final decision on competence. This may be through a decision of 'not yet competent' following an assessment, or following a safety of the line incident where competence has been brought into question.

If this is not followed then it exposes the Railway Undertaking to the possibility that an appeal could be heard by the ORR, as the ORR will not hear appeals relating to the outcome of:

- a medical or psychological assessment carried out by, or supervised by, a recognised doctor or psychological practitioner; or*
- an assessment of competence carried out by, or supervised by, a recognised training centre and/or examiner/examination centre.*

In these cases, the person or organisation that made the decision should have their own appeal procedure for the driver to follow.

Part 11 Records

11.1 Requirement to keep records

- 11.1.1 Railway Undertakings are required to keep a register of all complementary certificates issued, and the details including the issue, suspension and withdrawal of certificates.
- 11.1.2 Railway Undertakings must grant reasonable access to relevant data upon request from the ORR, the competent authority of another member state, or the train driver concerned.
- 11.1.3 Records of all data relating to driver certificates shall be kept for at least 10 years from the last expiry date referred to on the certificate. If at any time during the 10-year period an investigation involving the driver is started, data relating to the driver must be kept beyond the 10-year period if so required.

Guidance Clause 3.1 & Annex B4 Clauses 5 & 6

Part 12 General

12.1 Contracting in

- 12.1.1 Should a Railway Undertaking 'contract in' a driver(s) from another Company, they are responsible for ensuring that a driver is licensed and certified in accordance with TDLCR *Regulation 4*.

TDLCR Guidance Clause 1.24
TDLCR Guidance clauses 3.5, 6, Annex B3 (1)

Guidance Note

If hiring train drivers on an ad hoc or regular contractual basis, the contracting Railway Undertaking must ensure that the driver supplied has a licence and certificate stating that they are qualified to carry out the work required (from 29.10.18 – until then existing arrangements apply).

Where this happens on a regular basis, then this could be covered in the contractual arrangements between the undertakings.

Ad hoc hire could be added to such a contractual agreement. However, if ad hoc hire occurs on occasion with another Railway Undertaking for which no such contractual arrangement exists, then a system should be in place for the contracting Railway Undertaking to satisfy themselves that any driver hired is licensed and certified for the intended work.

It is expected that contracting Railway Undertakings would have a system in place to assure themselves periodically that any suppliers with whom a contractual arrangement exists are meeting the relevant legislation and procedures, perhaps through an audit.

12.2 Franchise change

- 12.2.1 When a company operating a route/franchise changes, ORR will update the employer's details for all the drivers employed by the new company on receipt of a request from that new company.

TDLCR Guidance Clause 2.11

12.3 Driver responsibilities

- 12.3.1 A driver has responsibilities under TDLCR as follows:
- i) Notifying the ORR if they change employer.
 - ii) Carrying their licence and certificate with them when on duty.
 - iii) Reporting the loss (or the theft of) the licence/certificate.
 - iv) Liaising with their line manager to ensure the certificate is correct with regards to route and traction knowledge.
 - v) Regularly providing evidence of their medical fitness and general competence.
 - vi) Understanding that if they (the driver) considers that their state of health calls into question their ability to drive a train that they must immediately inform their manager.

TDLCR Guidance Clauses 1.9, 2.8, 2.11, 2.13, 2.25, 3.6

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Guidance Note

The above points could form the basis of briefing and training of driver's to ensure that they understand their responsibilities under TDLCR. They could also be added to the staff handbook for briefing and reference purposes.

Whilst in practice most GB Railway Undertakings would inform the ORR if a driver changes employer, it is actually the responsibility of the driver to do this.

12.4 Website & employee handbook

- 12.4.1 Railway Undertakings are required, under TDLCR, to have as part of the safety management system, and publish on their internal Company website the application procedures for the issue of a train driving certificate, for the updating of the particulars of such a certificate, for the renewal of such a certificate and for the issue of a duplicate certificate.
- 12.4.2 The website must also detail the availability of an appeal by an employee against a decision by a Railway Undertaking not to grant an application for a train driving certificate, its update or renewal, or to suspend or withdraw a train driving certificate.
- 12.4.3 Railway Undertakings must also publish in the appropriate employee handbook details of the right of appeal against the withdrawal of a certificate.

*TDLCR Regulation 11
TDLCR Guidance clause 3.1, 3.11*

12.5 Company safety management system

Guidance Note

Compliance with TDLCR could mean amending and/or referencing several existing safety management procedures. These may include, but are not limited to:

- **Management of Signing On For Duty:** with regard to reporting for duty without licence or certificate and a system to manage this
- **Recruitment of Train Drivers:** with regard to use of recognised providers for medical and psychometric assessments, transfer and recruitment of existing drivers from other companies/ employers, exchange of safety related information including the issue or receipt of certified copies of the train driver certificate
- **Training of Train Drivers:** with regard to the contents of the training to comply with TDLCR, the inclusion of training for drivers on TDLCR and their responsibilities, details of whether an ORR approved training centre, what constitutes recognised trainers and examiners, requirements for examiners and examinations in line with TDLCR guidance
- **Competence Assessment of Train Drivers:** with regard to different medical frequencies, re-certification
- **Route & Traction Learning for Train Drivers:** with regard Initial and subsequent routes and traction and who can carry out the examinations and assessments
- **Management of Sub Standard Performance:** with regard to temporary or permanent removal of a certificate
- **Contractual Hiring Arrangements for train drivers:** with regard to ensuring a

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driver is licensed and certified in accordance with TDLCR Regulation 4.

Note: This list is not exhaustive

APPENDIX A

GLOSSARY OF TERMS

The following terms are used in this guidance:

Note: Where applicable, these definitions need to be clearly described in TOC job descriptions and safety procedures

Articles	Sub-Sections of chapters in the Train Driver Directive and European Commission Decision Documents
Assessment	<p>Assessment means the process of collecting and judging evidence of a person's performance against a standard in order to determine whether the person has demonstrated competence.</p> <p>Evidence can include direct and indirect observations, written records, log books, practical and written tests and answers to questions. Assessment should be based on performance in the workplace, wherever possible (source RSP1).</p> <p>For the purposes of this guidance, it should be noted that an assessment is the same as an examination both in terms of process and required knowledge and/or performance outcome.</p> <p>See also examination</p>
Assessor	Assessor is a person who carries out an assessment by judging the candidate's evidence against the standard and decides whether the candidate has demonstrated competence (source RSP1).
Competence	<p>The ability to perform activities to the standards expected in employment; it is a combination of practical and thinking skills, experience and knowledge (source RSP1).</p> <p>Competence assessment – see Assessment</p>
Competence management	The process of getting staff to be competent, followed by competence assessment and reassessment, and maintaining staff competence (source RSP1).
CMS	Competence management system means a process to develop and maintain staff competence, that includes risk assessments of activities, selecting suitable standards and using procedures and appropriate methods to carry out competence management, maintaining records, carrying out verification, audits and reviews of the system and feeding back recommendations to improve the system (source RSP1).
Cross-Border Driver	A person who drives trains both on mainline railways in Great Britain and across borders in at least one other member state.
(Domestic) Driver	A person who drives trains on the mainline railway solely within Great Britain.
Driver Instructor(or equivalent grade/title)	A person who mentors the trainee driver through the main practical handling part of driver training (accumulation of hours).
Driver Licence	Issued by the ORR upon proof of meeting the requirements of schedule 3 of TDLCR – General Knowledge. Valid for 10 years as long as licence requirements are met.
Driver Complementary Certificate	Issued by a Railway Undertaking upon successful completion of schedule 4 (infrastructure) and schedule 5 (rolling stock). Valid as long as Company

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	SMS requirements continue to be met.
Driver Complementary Certificate – Certified Copy	Issued when a driver leaves a Railway Undertaking using the form in Annex B5 of TDLCR Guidance
E. R. A.	European Union Agency for Railways
Examination	<p>An examination is organised to examine a train driver's competence in accordance with Article 25 of Directive 2007/59/EU.</p> <p>This relates to the awarding of a driver licence (schedule 3) and the certificate (schedule 4 & 5).</p> <p>Regarding Practical Examinations - Commission Decision of 22/11/2011 states in Article 8 clause 2 that if an examiner does not hold the traction or route competence then another driver 'shall be present for the examination in accordance with Article 4(2)(e) of Directive 2007/59/EC'.</p> <p>If a qualified assessor supplies an evidence pack to the examiner for an examination, the examiner can use this evidence in their decision even if they did not witness the evidence being gathered. In order to make a judgement on evidence gathered without the examiner being present the examiner must have the appropriate qualification; for example A1 or equivalent.</p> <p>For the purposes of this guidance, it should be noted that an examination is the same as an assessment both in terms of process and required knowledge and/or performance outcome.</p> <p>See also Assessment</p>
Examiner	See Recognised Psychological Practitioner, Recognised Doctor, and Recognised Examiner
Existing Cross-Border Driver	A person who, before 29 th October 2011, completed the relevant training in, and has experience of driving cross-border trains on the mainline railway in Great Britain, and in at least one country that is a member of the European Union.
Existing Domestic Driver	A person who, before 29 th October 2013, completed the relevant training in, and has current experience of driving trains on the mainline railway in Great Britain.
Infrastructure Manager	Network Rail or other responsible body for maintaining the railway permanent way
Mainline Railway	Network Rail Infrastructure in England, Wales and Scotland
Monitoring	Observing the performance of someone working, it can be formal (e.g. planned in advance), informal (e.g. managing by 'walking about') and unannounced (e.g. planned monitoring, but the place, date and time not announced beforehand) (source RSP1).
Non-registered Trainer	A person who meets the requirements of a Railway Undertaking's CMS, but NOT those of a recognised Trainer under TDLCR. They are authorised to carry out theory/classroom-based training, and practical training on infrastructure for which a licence is not required.
Non-registered examiner (assessor)	A person who meets the requirements of a Railway Undertaking's CMS, but NOT those of a recognised Examiner under TDLCR. They are authorised to carry out assessments in line with the Railway Undertaking's CMS, but NOT examinations involved in the initial award of a driver licence or certificate.
ORR	Office of Rail and Road (the independent safety and economic regulator for <i>Britain's</i> railways). The ORR is also the National Safety Authority (NSA) for GB
Practical Training	Training relating to infrastructure knowledge, including route knowledge and operating rules and procedures. Training which relates to the award of

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	the certificate may only be provided by a recognised trainer.
Railway Undertaking (RU)	<p>The organisation that holds a safety certificate issued by:</p> <p>The ORR in line with regulation 7 or regulation 9 of the Railways and Other Guided Transport Systems (Safety) Regulations 2006 as amended</p> <p>The intergovernmental commission in line with the requirements of article 39(i) of the schedule to the Channel Tunnel (Safety) order 2007 as amended</p>
Re-certification of the Driver Licence	<p>A driver licence is valid for 10 years from the date of issue.</p> <p>In order for the licence to remain valid, the driver must successfully meet the requirements of the Company CMS and the relevant medical standards.</p>
Re-certification of the Driver Certificate	<p>Schedule 6 of TDLCR requires that the minimum frequency of re-certification is every 3 years. It also requires that this re-certification includes operational rules, route and traction knowledge.</p> <p>Re-Certification is also required after a driver has not driven the relevant rolling stock, or over a relevant route, for more than one year, should this competence be required to be maintained.</p>
Recognised Doctor	A medical practitioner whose name appears in the register of doctors that the ORR has published under TDLCR
Recognised Examination Centre	An organisation whose name appears in the register of examiners and examination centres that ORR has published under TDLCR
Recognised Examiner	<p>A person who has:</p> <ul style="list-style-type: none"> • A thorough knowledge of the relevant examination methods and examination documents; <ul style="list-style-type: none"> ○ kept their professional competencies regarding the subjects they examine updated; and ○ familiarity with the certification scheme for train drivers. <p>Examiners must be a licence and certificate holder and have held competence in driving for 4 of the previous 5 years. Each company should keep an up to date list of their examiners as part of their submission statement. Registration is valid for 5 years.</p>
Recognised Psychological Practitioner	A person who holds the British Psychological Society Certificate in Occupational Testing (Level A or Level 2) , is on their register of qualifications in test use, and whose name appears in the register of psychological practitioners that we (ORR) have published under regulation 23(1) of the Train Driving Licences and Certificates Regulations 2010'.
Recognised Trainer	Must be a licence and certificate holder and have held competence in driving for 3 years. Each company should keep an up to date list of their trainers as part of their submission statement. Registration is valid for 5 years.
Recognised Training Centre	<p>TDLCR requires that an organisation that delivers training to train drivers register with ORR as a 'recognised training centre'.</p> <p>The legislation states that the Training centre(s) must have an effective management structure which ensures that trainers are competent and have adequate qualifications and experience to provide training.</p> <p>Training Centres must ensure that they provide competence management, on-going training and measures to keep professional skills updated for trainers.</p>

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	<p>Training methods, tools and equipment must also be current, including training literature, training software, and documents such as rulebooks on operational rules, signals or safety systems.</p> <p>The submission statement is used to document how companies meet these requirements for the ORR.</p>
Regulations	Rules that derive their authority from legislation. <i>Regulations</i> are enforced usually by a <i>regulatory</i> agency formed or mandated to carry out the purpose or provisions of legislation (in the case of TDLCR this is the ORR).
ROGS	Railway and Other Guided Transport Systems (Safety) Regulations 2006 as amended
RSP1	The ORR publication 'Developing and Maintaining Staff Competence'
Schedules	<p>There are 7 Schedules that support TDLCR and give detailed requirements for each subject matter:</p> <p>Schedule 1 – Medical Requirements Schedule 2 – Community Model of the Licence and Certificate Schedule 3 – General Professional Knowledge & Requirements Regarding the Train Driver Licence Schedule 4 – Professional Knowledge of Infrastructure and Requirements Regarding the Train Driving Certificate Schedule 5 – Professional Knowledge of Rolling Stock and Requirements Regarding the Train Driving Certificate Schedule 6 – Frequency of Examinations Schedule 7 – Training method</p>
Submission Statement	<p>A document by which a person or entity can provide evidence to the ORR to apply to be a:</p> <ul style="list-style-type: none"> • Recognised Doctor • Recognised Psychological Practitioner • Recognised Training and/or Examination Centre <p>The statement must show how they comply with the legal requirements of TDLCR and the EC Decision 2011/765/EU</p>
TDLCR	Train Driving Licences & Certificates Regulations 2010 as amended
Tests	Ongoing checks through training to ensure a trainee is learning and retaining the relevant knowledge prior to examination
Train Driver Directive (the Directive)	<p>European Commission Directive 2007/59/EU which relates to certificates for train drivers operating locomotives and trains on the railway system in the European Community.</p> <p>This is supported by European Commission Decision 2011/765/EU which relates to the criteria for the recognition of training centres who are involved in the training of train drivers and for the recognition of examiners of train drivers.</p> <p>See ORR guidance for other European legislation relating to train drivers.</p>

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APPENDIX B

REFERENCES

Legislation	Train Driver Licences & Certificates Regulations 2010
Legislation	Train Driver Licences & Certificates (Amendments) Regulations 2015
Legislation	Train Driver Licences & Certificates Regulations Guidance 2015
Directive	Directive 2007/59/EC of the European Parliament
Commission decision	Commission decision of 22 nd November 2011
RSP1	ORR Guidance on Developing and Maintaining Staff Competence
GO/RT 3451	Train Movement Staff Suitability and Fitness Requirements
GO/RC 3561	Recommendations for Train Movement – Staff Suitability and Fitness Requirements
RIS - 3751-TOM	Rail Industry Standard for Train Driver Selection
Company SMS Documents	<p><i>Procedures relating to the following may be applicable:</i></p> <ul style="list-style-type: none"> Management of Signing on (with regard to reporting for duty without licence or certificate) Recruitment of Train Drivers Training of Train Drivers Competence Assessment of Train Drivers Route & Traction Learning for Train Drivers Management of Sub Standard Performance <p><i>Note: this list is not exhaustive</i></p>

APPENDIX C

SUBMISSION STATEMENT

The ORR gives the following guidance as to the information required in a submission statement (or safety certificate). If the Railway Undertaking uses 'in house' doctors and psychological practitioners then details of their competence as below should be shown. If a Railway Undertaking contracts in either or both of these services, then the statement requires only details of the training and examination centre.

Recognised Doctor

Under TDLCR a TOC must use a recognised doctor for medical examinations. These can be 'in house' or contracted for the service, but they must meet the following conditions:

Doctors must provide evidence of Independence, Competence and Impartiality

- Independence – This means that they are registered as a Medical Practitioner by the General Medical Council
- Competence – This means that they have 2 years' experience in occupational medicine, meet ARIOPS competency guidance for a responsible doctor, and have a recognised qualification in occupational medicine as verified by the Faculty of Occupational Medicine
- Impartiality – This means that they are working within Schedule 1 of TDLCR or ISI OPE (Operations) standard for medical assessments or recognised equivalent

If all of the above are met, and the individual has experience in the railway environment, then the ORR will process the application.

If all is in order then the individual will be entered onto the public register as a 'recognised doctor.

Checks will be carried out every 5 years to confirm that medical assessments are still being carried out.

Recognised Psychological Practitioner

Under TDLCR a TOC must use a recognised Psychological Practitioner for psychometric assessments. These can be 'in house' or contracted for the service, but they must meet the following conditions:

They must hold a British Psychological Society Certificate in Occupational Testing Level A/Level 2 and is on their register of qualifications in test use. For oral assessments the Practitioner must have the RSSB multi modal interview certificate.

The ORR would process the application checking for evidence of the above, and also that the individual has an appreciation of the specific nature of railway work and the environment.

If the individual is using the test recommended in RIS 3751 and all is in order then the individual will be entered onto the public register as a 'recognised Psychological Practitioner.

If the individual is using an alternative set of occupational psychometric tests which have been reviewed by BPS and meet either the same or better than those recommended in RIS 3751, then the The ORR will seek an independent assessment as to whether these tests are acceptable.

If all is in order then the individual will be entered onto the public register as a 'recognised Psychological Practitioner'.

Checks will be carried out every 5 years to confirm that Psychological tests are still being carried out.

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Recognised Training & Examination Centre

The following is an extract of Annex C5 of the Guide to Train Driving Licences and Certificates Regulations 2010:

Training centres

1. Training centres must confirm they deliver training courses in an impartial manner regarding all participants.
2. Training centres must demonstrate technical and operational competence and suitability to organise training courses appropriate to the training tasks. It shall be adequately staffed and equipped and operate in an environment suitable for training aiming to prepare train drivers for the examinations to obtain or maintain licences and certificates.
3. They must have an effective management structure which ensures that trainers are competent and have adequate qualifications and experience to provide training.
4. The training centre must ensure that practical training is carried out by trainers who are holders of both a valid train driver licence and a valid certificate covering the subject of training or a similar type of line/rolling stock, and who have professional practice in driving of minimum 3 years' duration. When the trainer does not hold a valid certificate for the relevant infrastructure/rolling stock, a driver holding the certificate for that infrastructure/rolling stock shall be present.
5. They should provide information on how they ensure the content, organisation and duration of training courses, training plans and competence schemes is kept up to date.
6. They should explain how they record the training activities including information on participants, trainers and the number and purpose of the courses;
7. They should provide information on the quality management system or equivalent procedures in place to monitor compliance with, and the adequacy of, the systems and procedures which ensure that the training provided satisfies the requirements set out in Schedules 3 to 7 of the Train Driving Licence and Certificates Regulations 2010 (TDLCR).
8. Explain how they provide competence management, on-going training and measures to keep professional skills updated for trainers;
9. Demonstrate procedures to keep training methods, tools and equipment updated, including training literature, training software, documents provided by the infrastructure manager such as rulebooks on operational rules, signals or safety systems.

Examination Centres

1. The examination centre shall provide details of the general professional competence examination designed to test the requirement of Schedule 3 of TDLCR.
2. Examination Centre should demonstrate that the examiners have the minimum experience of 4 years' duration within a period of not more than 5 years before the application date, including experience in train driving.
3. The requested period of professional experience may include periods of experience as a manager of train drivers who holds a valid train driver licence and complimentary certificate or as a trainer for training tasks relevant to the application submitted.

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4. In regard to practical examinations on board trains the examination centre must ensure the examiner is the holder of both a valid train driver licence and a valid certificate covering the subject of examination or a similar type of line/rolling stock. When the examiner does not hold a valid certificate for the infrastructure/rolling stock of the examination, a driver holding the certificate for that infrastructure/rolling stock shall be present at the examination.
5. In addition, the centre shall demonstrate how they ensure examiners shall meet the following minimum criteria:
 - a. they shall be competent in listening and spoken interaction at minimum level B2 of the European Framework for Language Competence (EFLC) established by the Council of Europe, in the language of examination;
 - b. they shall have the skills and the aptitude required for the purpose of conducting examinations, and have thorough knowledge of the relevant examination methods and examination documents;
 - c. how they will keep their professional competences regarding the subjects they examine updated; and
 - d. they are familiar with the certification scheme for train drivers.

APPENDIX D

COMPLIANCE CHECK AGAINST THE REQUIREMENTS OF TDLCR

Audit Protocol – ORR Recognition (Submission Statement)

	ORR's Recognition Procedures
1 <i>ORR Guidance Annex C</i>	Have you prepared a submission statement to ORR to seek recognition if required (on the ORR Register) for: <ul style="list-style-type: none"> • Medical Assessment • Psychometric Assessment • Training • Examination
<i>Answer</i>	<i>Does the submission statement exist? If not is it required?</i>
2 <i>ORR Guidance Annex C</i>	Have you defined the roles which your Company centres (i.e. training facilities) provide in relation to medicals, pre-employment assessment, training, examination and on-going competency assessment?
<i>Answer</i>	<i>Check that the submission statement contains the details as above in line with appendix 3.</i>
3 <i>ORR Guidance Annex C</i>	Does your submission statement include Company-specific details relating: <ul style="list-style-type: none"> • Locations • Staffing • Assessment methodologies • Person specification and competencies of staff used within your training and examination centres?
<i>Answer</i>	<i>Who is responsible for the statement? Is it up to date and regularly reviewed? Does it contain the information above?</i>
4 <i>ORR Guidance Part 5</i>	Have you checked whether the Psychological Assessors or Doctors you employ or use under contract have been recognised by ORR? Or - Where your submission statement covers the psychometric assessment centre have you provided the supporting information on each assessor's experience in the railway industry, their British Psychological Society qualifications and evidence of being on the BPS register for psychometric testing? Does it include details of the auditing procedure? Or - Where your submission statement covers the medical assessment centre have you provided the supporting information to prove Independence, Competence and Impartiality? If the Railway Undertaking were to change medical or psychometric provider who would be responsible for: <ul style="list-style-type: none"> • Ensuring the medical provider is registered with the ORR • Ensuring the psychological assessment providers are registered with the ORR
<i>Answer</i>	<i>If you contract in any of the services such as medical and/or psychometric services check the provider is registered with ORR. If they are 'in house' ensure they meet the requirements of TDLCR.</i>

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Audit Protocol for Compliance against Train Driving Licences and Certificate's Regulation's (TDLCR) 2010

	Railway Undertaking Safety Management System
<p>Q1</p> <p><i>Article 17 requires RUs to set up procedures – this documented approach is required in Guidance Part 3</i></p>	<p>Is there a have a documented procedure in place which sets out how the Railway Undertaking will comply with the TDL&C Regulations?</p> <p>Does the procedure differentiate between 'existing train drivers' and 'new domestic' train drivers'?</p>
Answer	A safety management procedure covering the subject of driver licence and certificates can clarify responsibilities and ensure the legislation is met. Many RUs may already have a procedure which covered issue of their own licences, has this been updated?
<p>Q2</p> <p><i>Advisory guidance</i></p>	<p>Does the procedure document and define:</p> <ul style="list-style-type: none"> • Recognised Doctor • Recognised Psychologist • Recognised Trainer • Recognised Examiner
Answer	Definitions may help the internal reader understand the procedure.
<p>Q3</p> <p><i>ORR guidance Part 2 & 3</i></p>	<p>Does the procedure consider:</p> <ul style="list-style-type: none"> • To whom ORR will issue an EU Train Driver Licence • Where/how a central record of all Licences & certificates will be stored • A back-up process in the event that the individual's copy is misplaced, issuing a certificate or licence out of hours should a driver report for duty without them, or report that either or both have been lost. • That the EU Driver Licences are issued by ORR and owned by the Train Driver • That the Train Driver Certificates are issued by the Company and owned by the Company
Answer	The above are suggestions of what a RU procedure for TDLCR may cover for clarity
<p>Q4</p> <p><i>ORR guidance Part 2</i></p>	<p>Does the procedure cover who is responsible for informing the ORR if you think a licence should be withdrawn, and the reasons why this may be necessary in accordance with the TDLCR regulations.</p>
Answer	This is a requirement of TDLCR and should be taking place
<p>Q5</p> <p><i>Guidance Part 3.6</i></p>	<p>Does the procedure cover what documentation Train Drivers will be required to carry on their person when on duty and in what format?</p> <p>Does the procedure cover who is responsible for briefing drivers on their responsibilities under TLCDR when a licence and/or certificate is issued?</p> <p>Does the procedure state how long a Temporary Licence and/or Certificate is valid for whilst a replacement is obtained and issued. If this is not possible, then the duplicate should be re-authorised by the line manager for a further period (14 days is suggested as reasonable in each case).</p>
Answer	The above are suggestions of what a RU procedure for TDLCR may cover for clarity
<p>Q6</p> <p><i>Guidance Part 2</i></p>	<p>Has the Railway Undertaking identified a process for applying for EU Train Driver Licences to ORR on behalf of the applicant?</p> <p>Who is responsible for:</p>

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	<ul style="list-style-type: none"> • Liaison with the ORR regards licence applications • Once the licence is received from the ORR sending the licence to the employee • Collation of all necessary information and issue of licences and certificates • Renewal of licences
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q7 <i>Guidance Part 3</i>	<p>Liaison between are driver management teams and the recruitment team – Does the Railway Undertaking procedure cover who is responsible for:</p> <ul style="list-style-type: none"> • Ensuring all driver licences are applied for in a timely manner and information required is supplied. • Ensuring a certificate is issued upon qualification as a driver. This is at the conclusion of training when all rules, traction and practical handling assessments have been successfully completed. • Ensuring the database is updated if there are alterations to a driver’s personal details or competence. • Ensuring the database is updated if for any reason the eligibility of the driver to continue holding a certificate or licence is in question, and where necessary ORR are informed
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q8 <i>TDLCR Schedule 1 Guidance Part 5</i>	<p>Does the Company procedure recognise that periodic medicals are maintained at three-yearly intervals for ALL mainline Train Drivers and operational Driver Trainers/Examiners who have an EU licence, up to the age of 55 and yearly thereafter as from 29th October 2013?</p> <p>And detail who is responsible for managing the administration regards the frequency of medicals, especially the transitional period (two systems running).</p>
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q9 <i>Guidance Part 2 (2.10)</i>	<p>Does the procedure cover who will inform the ORR in the event of a change in circumstances that requires the register to be updated, these changes are:</p> <ul style="list-style-type: none"> • Driver leaves the business • An amendment to the driver’s personal details • Absence from driving duties for a period of three months or longer due to ill health • (in this instance the ORR will suspend the licence and the ORR will require evidence of general competence before the licence is reinstated) • Notification of the results from a driver periodic medical • The death of a driver • A driver moving to another role in the business
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q10 <i>TDLCR Part 6 Guidance Part 2 (2.22)</i>	<p>Does the procedure document:</p> <p>How the Railway Undertaking will revoke a Certificate for pre-defined scenarios and what action is required with regard to advising ORR where they may need to suspend/withdraw the licence?</p>

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<p>&Part 3 (3.9)</p>	<p>ORR's process for suspending, withdrawing or reviewing a Licence - <i>The suspension or withdrawal of Certificates will be handled by ORR and the Company</i></p> <p><i>ORR's duties where a 'serious threat' is perceived by ORR?</i></p> <p>Who is responsible for liaising with HR/database administrator team when a Driver Instructor (or driver after 2018) leaves the Company and returns the driver certificate or any certificate or licence is suspended for any reason?</p>
<p>Answer</p>	<p>A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.</p>
<p>Q11</p> <p><i>TDLCR Parts 11 & 12 & Guidance Part 2 (2.30) & Part 3 (3.11)</i></p>	<p>Does the procedure provide an overview of the appeals process to both the Secretary of State and ORR in relation to Licences and Certificates?</p> <p>Does the procedure detail the internal process for an appeal against the withdrawal of a certificate?</p>
<p>Answer</p>	<p>A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.</p>
<p>Q12</p> <p><i>Advisory</i></p>	<p>Does the procedure contain supporting documentation in its appendices, such as:</p> <ul style="list-style-type: none"> • Model Licence • Model Certificate • Reference to ORR guidance?
<p>Answer</p>	<p>Documenting in a company procedure may assist.</p>
<p>Q13</p> <p><i>Advisory</i></p>	<p>Recruitment of qualified drivers from other companies -Does the procedure state:</p> <ul style="list-style-type: none"> • Who is responsible for ensuring that Appendix 'B' of RIS 3751 – transfer of safety information for candidate with previous train driving experience - is received and complete. • If the qualified driver already has an EU licence, who is responsible for ensuring they are added to the database? • Who is responsible for checking with the ORR that the licence is still valid
<p>Answer</p>	<p>A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.</p>
<p>Q14</p> <p><i>Advisory& Guidance Annex C3/C4 This is a requirement for 'practical trainers' and 'examiners'</i></p>	<p>Does the procedure state who is responsible for ensuring that all newly appointed instructors/trainers/examiners meet the requirements of TDLCR?</p> <p>Has the Railway Undertaking applied for (or is in the process of applying for) an EU Driver Licence for operational Driver Trainers/Managers who hold current driving competency?</p>
<p>Answer</p>	<p>A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist. All will require the licence and certificate by October 2016. Early identification of those who meet the requirements will assist in any redeployment and/or recruitment plans.</p>
<p>Recruitment of Newly Appointed Train Drivers</p>	
<p>Q15</p> <p><i>TDLCR Part 14</i></p>	<p>Have all new Train Drivers appointed since 29 October 2013 who operate on the mainline received an EU Train Driving Licence (issued by ORR)?</p>
<p>Answer</p>	<p>This is a requirement of TDLCR and should be taking place</p>
<p>Q16</p>	<p>Is there a process for recording the pre-requisite information on the EU Train Driver Certificate as required by Regulation 25 of the TDL&C</p>

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<i>TDLCR Part 3 (8 & 9) and Guidance Annex B3</i>	<p>Regulations?</p> <ul style="list-style-type: none"> • Collecting all personal information including languages spoken and 9 years' education • Collecting evidence that the employee has passed the necessary medical requirements and drugs and alcohol screening • Collecting evidence that the employee has passed the necessary psychometric tests • Ensuring that all documentary evidence is checked prior to a certificate being issued
Answer	This is a requirement of TDLCR and should be taking place
<p>Q17</p> <p><i>Advisory</i></p>	<p>Does the application process within the Railway Undertaking procedure consider:</p> <ul style="list-style-type: none"> • When an EU Train Driver Licence becomes effective • What happens when a trainee driver who has completed their classroom-based training does not progress and complete their full practical handling training and subsequently complete their initial competence assessment <p>And set out the requirements of the 'application form' to ORR whether this is by using the model application form or the online application made through ORR's SharePoint Portal?</p>
Answer	A robust system should be in place with all aware of their responsibilities.
	Database of Licence and Certificate Holders
<p>Q18</p> <p><i>TDLCR Part 7 (25)</i></p>	<p>Have all new Train Drivers appointed since 29 October 2013 who operate on the mainline received a Company-specific Train Driver Certificate (traction and route cards) based on the EU Model. Is there in place a database for storing a 'master list' detailing all holders of both EU Driver Licences issued by the ORR and the supplementary Train Driving Certificates that are issued by the Company which ensures:</p> <ul style="list-style-type: none"> • Currency of certificates (route and traction knowledge) • Currency of medical assessments (revised frequency in place) <p>Who is responsible for maintaining the Licence & Certificate Database, ensuring it is kept up to date with current licences and certificates and also updating when suspended or removed.</p> <p>When new routes or traction are learnt after the issuing of a certificate, who is responsible for ensuring all route and traction knowledge is updated on a drivers certificate?</p>
Answer	This is a requirement of TDLCR and should be taking place
<p>Q19</p> <p><i>TDLCR Part 4 (11)</i></p> <p><i>TDLCR Guidance clause 3.11</i></p>	<p>Has the Railway Undertaking published on its internal website, application procedures for the issue of a train driving certificate, for the updating of the particulars of such a certificate, for the renewal of such a certificate and for the issue of a duplicate certificate, and indicate on its website the availability of an appeal under regulation 36.</p> <p>Has the Railway Undertaking published in the staff handbook details around the right of appeal against the withdrawal of a certificate?</p>
Answer	This is a requirement of TDLCR and should be in place
	Strategy for Full Implementation of TDLCR
Q20	Is there a plan in place to ensure that by October 29 th 2018 at the latest ALL mainline Train Drivers are issued with EU Train Driver Licences and

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<i>TDLCR Part 14</i>	Certificates? And, that from that point the minimum frequency between medical and psychological examinations for ALL mainline Train Drivers will be three years up to the age of 55 and yearly thereafter?
Answer	Implementation by 29/10/2018 is a requirement of TDLCR so a strategy to achieve this is advised.
	Other Safety Procedures Affected
Q21 <i>Advisory</i>	Has the RU considered which other existing safety management procedures may need to be amended following the introduction of the TDLC Regulations?
Answer	<p>This could include recruitment, training, assessment of those with driving competency, route learning for those with driving competency, management of sub-standard performance and signing on duty (with regard to reporting for duty without licence or certificate).</p> <p><i>For instance:</i></p> <p>Does the driver assessment procedure now include as part of driver equipment checks ensuring that the employee has their licence and certificate with them when reporting for duty and when driving trains? Are the certificates checked for accuracy?</p> <p>Does the ongoing (re-certification) assessment process reflect that routes, traction (and language if required) are being assessed in addition to rules knowledge and driving skills?</p> <p><i>Note - This is a requirement – TDCL Regulations Part3 Clause 9 and Part 5 Clause 15</i></p> <p>Does the Company Driver Route Learning procedure cover instructors/trainers/managers route competence? And that a TOC must reassess knowledge of a route after any absence of more than one year over it?</p>
	Driver Training Requirements
Q22 <i>TDLCR Part 8 (29)</i> <i>Guidance 1.9, 2.25, 3.6</i>	<p>TDLCR requires that there is an item on driver training to ensure drivers are briefed on the requirements of the legislation as far as they are concerned. Does the training/briefing include:</p> <ul style="list-style-type: none"> • Completing the licence application form and providing all personal information including their photograph (if driver is to do this themselves) • Carrying the licence and certificate at all times whilst on duty • Reporting the loss/theft of a license or a certificate when booking on for duty. • Reporting not having the licence/certificate when booking on for duty • Liaising with their line manager to ensure the certificate is correct with regards to route and traction knowledge • Regularly providing evidence of their medical fitness and general competence • Understanding that if the driver considers that their state of health calls into question their ability to drive a train must immediately inform their manager • Notifying the ORR if they change employer
Answer	This is a requirement of TDLCR to ensure that drivers are aware of their responsibilities under the legislation.

<p>Guidance Note</p>	<p style="text-align: center;">Driver Training</p> <p>The objective of the general training (schedule 3) is to provide general competence on all aspects that are relevant to the train driver's profession. The general training must focus on basic knowledge and principles that are applicable independently of the type and nature of rolling stock or infrastructure. Requirements for training for specific rolling stock or infrastructure are specified in Schedules 4 and 5 of these Regulations.</p> <p>The task analysis and risk assessment carried out by an RU in order to devise their training will determine the degree of knowledge required in each subject area. Knowledge required will be proportional to the RUs rolling stock and the infrastructure over which it operates.</p> <p>For instance, a freight driver will require knowledge of loadings in a way a passenger driver would not need to know. The difference in train handling for MPVs with a full water tank, and then reducing should be included within the risk assessment and subsequent training, as the train handling characteristics changes with the change in load. For a passenger service stopping points on platforms and the platform train interface would warrant specific attention. In terms of infrastructure, different types of block working will require different information to be given.</p> <p>The control measure is ultimately the RU's own CMS, which will have a proven level of the knowledge required to establish competence through the meeting of specific performance criteria.</p> <p>It is worth noting that ORR do not set pass/fail criteria for licence knowledge – but they will ensure that train operators have developed a recognised, sensible and robust approach as part of their safety management system.</p>
	<p style="text-align: center;">TDLCR Schedule 3 (2015 Amendments) Requires that Driver Training Covers the following:</p>
<p>Q23 <i>TDLCR Schedule 3 (2015 Amendments)</i></p>	<p>In relation to a driver's work, the work environment, the driver's role and responsibility in the process of rail operation, the professional and personal demands of a driver, the driver must have:</p> <ul style="list-style-type: none"> • Knowledge of the general thrust of legislation and rules applicable to rail operation and safety (requirements and procedures regarding the certification of train drivers, dangerous goods, environmental protection, fire protection, etc.) • The specific requirements and professional and personal demands (working mainly on one's own, shift work over 24 hour cycle, individual protection and security, reading and updating documents, etc.) • Knowledge of behaviours which are compatible with safety-critical responsibilities • Knowledge of medication, alcohol, drugs and other psychoactive substances, illness, stress, fatigue, etc.) • The reference and operating documents (e.g. rule book, route book, driver's manual, etc.)

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	<ul style="list-style-type: none"> • Knowledge of the importance of being precise in carrying out duties and in working methods • Be able to identify the responsibilities and functions of persons involved • Understand occupational health and safety (e.g. code of behaviour on and near tracks, code of behaviour for getting on and off the traction unit safely, ergonomics, staff safety rules, personal protective equipment, etc.) • Have acquired knowledge of behavioural skills and principles (stress management, extreme situations, etc.) • Have acquired knowledge of the principles of environmental protection (sustainable driving, etc.)
Answer	Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter?
Q24 <i>TDLCR Schedule 3 (2015 Amendments)</i>	In relation to railway technologies, including safety principles behind operational regulations the driver must: <ul style="list-style-type: none"> (a) have acquired knowledge of the principles, regulations and provisions regarding safety in rail operation (b) be able to identify the responsibilities and functions of persons involved
Answer	Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter? e.g. Types and principles of signalling, role of the signaller etc.
Q25 <i>TDLCR Schedule 3 (2015 Amendments)</i>	In relation to the basic principles of railway infrastructure the driver must have acquired knowledge of: <ul style="list-style-type: none"> (a) systematic and structural principles and parameters (b) the general characteristics of tracks, stations, marshalling yards (c) railway structures (bridges, tunnels, points, etc.) (d) operating modes (single track, double track operation, etc.) (e) signalling and train control systems (f) safety installations (hot-axle box detectors, smoke detectors in tunnels, etc.) (g) traction power supply (catenary, third rail, etc.)
Answer	Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter? e.g. What can be found in the railway environment
Q26 <i>TDLCR Schedule 3 (2015 Amendments)</i>	In relation to the basic principles of operational communication the train driver must: <ul style="list-style-type: none"> (a) have acquired knowledge of the significance of communication and the means and procedures for communicating (b) be able to identify persons the driver needs to contact and their role and responsibility (staff of the infrastructure manager, working duties of other train staff, etc.) (c) be able to identify situations/causes that require communication to be initiated (d) understand communication methods
Answer	Does the Driver Training Course cover the above issues and the driver's understanding of the subject matter?
Q27 <i>TDLCR Schedule 3 (2015 Amendments)</i>	In relation to trains, their composition and the technical requirements for traction units, wagons, coaches and other rolling stock the driver must:

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<p><i>Amendments)</i></p>	<p>(a) have acquired knowledge of the generic types of traction (electric, diesel, steam, etc.) (b) be able to describe the layout of a vehicle (bogies, bodies, driving cab, protection systems, etc.) (c) have acquired knowledge of the content and systems of labelling (d) have acquired knowledge of the documentation on train composition (e) understand braking systems and performance calculation (f) be able to identify train speed (g) be able to identify maximum load and forces at the coupler (h) have acquired knowledge of the operation and purpose of the train management system</p>
<p>Answer</p>	<p>Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter? e.g. Typical train formations, make up of a train, principles of how the braking system works, why have maximum loads/length of trains etc.</p>
<p>Q28 <i>TDLCR Schedule 3 (2015 Amendments)</i></p>	<p>In relation to hazards involved in railway operations in general the driver must: (a) understand the principles governing traffic safety (b) have acquired knowledge of the risks related to railway operation and the various means to be used to mitigate them (c) have acquired knowledge of safety-relevant incidents and understand the required behaviour/reaction (d) have acquired knowledge of the procedures applicable to accidents involving persons (e.g. evacuation)</p>
<p>Answer</p>	<p>Does the Driver Training Course cover the above issues and the driver's understanding of the subject matter?</p>
<p>Q29 <i>TDLCR Schedule 3 (2015 Amendments)</i></p>	<p>In relation to the basic principles of physics the driver must: (a) understand forces at the wheel (b) be able to identify factors influencing accelerating and braking performance(weather conditions, braking equipment, reduced adhesion, sanding, etc.) (c) understand principles of electricity (circuits, measuring voltage, etc.)</p>
<p>Answer</p>	<p>Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter? e.g. friction, kinetic energy (why it can take so long to stop a train), basic use of electricity on both electric and diesel trains, circuit breakers etc.</p>
	<p>Driver Training – TDLCR Schedule 4 Requires that Driver Training covers the following training for specific rolling stock or infrastructure</p>
<p>Q30 <i>TDLCR 2010 Schedule 4</i></p>	<p>TESTING THE BRAKES Drivers must be able to check and calculate, before departure, that the train's braking power corresponds to the braking power required for the line, as specified in the vehicle documents.</p>
<p>Answer</p>	<p>Does the Driver Training Course cover the above issues specific to the rolling stock the RU operates (static brake tests, brakes isolated etc.)?</p>
<p>Q31 <i>TDLCR 2010 Schedule 4</i></p>	<p>TYPE OF OPERATION AND MAXIMUM TRAIN SPEED ACCORDING TO THE LINE CHARACTERISTICS Drivers must be able to:</p>

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	<ul style="list-style-type: none"> (a) take note of information given to them, such as the speed limits or any signalling changes (b) determine the type of running and the limit speed of the train on the basis of the characteristics of the line
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates?
Q32 <i>TDLCR 2010 Schedule 4</i>	<p>KNOWLEDGE OF THE LINE</p> <p>Drivers must be able to anticipate problems and react appropriately in terms of safety and other performances, such as punctuality and economic aspects. They must therefore have a thorough knowledge of the railway lines and installations on their route and of any alternative routes agreed on.</p> <p>The following aspects are important:</p> <ul style="list-style-type: none"> (a) operational conditions (changes of track, one-way running, etc.) (b) perform a route check and consult the relevant documents (c) identification of tracks that can be used for a given type of running (d) the applicable traffic rules and the meaning of the signalling system (e) the operations regime (f) the block system and associated regulations (g) station names and the position, and distance-sighting, of stations and signal boxes and to adapt driving accordingly (h) transition signalling between different operating or power supply systems (i) speed limits for the different train categories driven (j) topographical profiles (k) particular braking conditions, for example on lines with a steep downward gradient (l) particular operating features: special signals, signs, departure conditions, etc.
Answer	Does the Driver Training Course cover the above issues specific to the infrastructure the RU operates over relevant to the driver?
Q33 <i>TDLCR 2010 Schedule 4</i>	<p>SAFETY REGULATIONS</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none"> (a) start the trains only when all prescribed conditions are fulfilled (timetable, start order or signal, operation of signals if required, etc.) (b) observe track-side and in-cab signals, interpret them immediately and without error, and act as specified (c) run the train safely according to the specific modes of operation: apply special modes if instructed, temporary speed restrictions, running in opposite direction, permission to pass signals at danger, switching operations, turns, running through construction sites, etc. (d) respect scheduled or supplementary stops, and if necessary perform supplementary operations for passengers during these stops, notably opening and closing the doors
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q34 <i>TDLCR 2010 Schedule 4</i>	<p>DRIVING THE TRAIN</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none"> (a) know the train's position on the line at all times (b) apply the brakes for decelerations and stops, taking account of the

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	<p>rolling stock and installations</p> <p>(c) adjust the running of the train in accordance with the timetable and any orders given on saving energy, taking account of the characteristics of the traction unit, the train, the line and the environment.</p>
Answer	<p>Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?</p>
<p style="text-align: center;">Q35</p> <p><i>TDLCR 2010 Schedule 4</i></p>	<p>ANOMALIES</p> <p>Drivers must be able to:</p> <p>(a) be attentive, insofar as train operation permits, to unusual occurrences concerning the infrastructure and the environment: signals, tracks, energy supply, level crossings, track surrounding, other traffic</p> <p>(b) know particular distances to clear obstacles</p> <p>(c) inform the infrastructure manager as soon as possible of the place and nature of anomalies observed, making sure that the information has been understood</p> <p>(d) taking into account the infrastructure, ensure or take measures to ensure the safety of traffic and persons, whenever necessary</p>
Answer	<p>Does the Driver Training Course cover the above issues specific to the infrastructure the RU operates over relevant to the driver?</p>
<p style="text-align: center;">Q36</p> <p><i>TDLCR 2010 Schedule 4</i></p>	<p>OPERATING INCIDENTS AND ACCIDENTS, FIRES AND ACCIDENTS INVOLVING PERSONS</p> <p>Drivers must be able to:</p> <p>(a) take steps to protect the train and summon assistance in the event of an accident involving persons</p> <p>(b) determine where to stop the train in the event of a fire and facilitate the evacuation of passengers, if necessary</p> <p>(c) provide useful information on the fire as soon as possible if the fire cannot be brought under control by the driver acting alone</p> <p>(d) inform the infrastructure manager of these conditions as soon as possible</p> <p>(e) assess whether the infrastructure allows the vehicle to continue to run and under which conditions</p>
Answer	<p>Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?</p>
<p style="text-align: center;">Q37</p> <p><i>TDLCR Schedule 4 (2015 Amendments)</i></p>	<p>LANGUAGE TESTS</p> <p>The language requirements are as follows:</p> <p>(1) Drivers who have to communicate with the infrastructure manager on critical safety issues must have language skills in the language indicated by the infrastructure manager concerned. Their language skills must be such that they can communicate actively and effectively in routine, adverse and emergency situations.</p> <p>(2) They must be able to use the messages and communication method specified in the Annex to Commission Decision 2012/757/EU concerning the technical specification for interoperability relating to the “operation and traffic management” subsystem of the rail system</p>

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	<p>in the European Union and amending Decision 2007/756/EC(a). (3) Drivers must be able to understand (both listening and reading) and to communicate(both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe(b).”</p>
Answer	<p>The Railway Undertaking must ensure that the driver can meet the required standard regarding language. See clause 4 of this document for the details that require consideration.</p>
	<p>Driver Training – TDLCR Schedule 5 Requires that Driver Training Covers the Following</p>
<p>Q38 TDLCR 2010 Schedule 5</p>	<p>TESTS AND CHECKS PRIOR TO DEPARTURE</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none"> (a) collect the documentation and the necessary equipment (b) check the capacities of the traction unit (c) check the information entered in the documents on board the traction unit (d) ensure, by performing the checks and tests specified, that the traction unit is capable of providing the required traction power, and that the safety equipment is operating (e) check the availability and functionality of the prescribed protection and safety equipment at the handover of a locomotive or at the start of a trip (f) perform any routine preventative maintenance operations
Answer	<p>Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?</p>
<p>Q39 TDLCR 2010 Schedule 5</p>	<p>KNOWLEDGE OF ROLLING STOCK</p> <p>Knowledge required:</p> <ul style="list-style-type: none"> (1) To operate a locomotive, drivers must be familiar with all the controls and indicators placed at their disposal, in particular those concerning: <ul style="list-style-type: none"> (a) traction (b) braking (c) traffic safety-related elements (2) In order to detect and locate anomalies in the rolling stock, report them and determine what is required to repair them, and in certain cases to take action, drivers must be familiar with: <ul style="list-style-type: none"> (a) mechanical structures (b) suspension and attachment equipment (c) running gear (d) safety equipment (e) fuel tanks, fuel supply systems, exhaust equipment (f) the meaning of markings on the inside and outside of the rolling stock, in particular the symbols used for the transportation of dangerous goods (g) trip registration systems (h) electrical and pneumatic systems (i) collection of current and high-voltage systems (j) communication equipment (ground-to-train radio, etc.) (k) arrangement of trips (l) the constituent parts of the rolling stock, their purpose, and the devices specific to the hauled stocks, in particular the system of stopping the train by venting the brake pipe

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	(m) braking system (n) the parts specific to traction units (o) traction chain, motors and transmission.
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock the RU operates over relevant to the driver?
Q40 <i>TDLCR 2010 Schedule 5</i>	TESTING THE BRAKES Drivers must be able to: (a) check and calculate, before departure, that the train's braking power corresponds to the braking power required for the line, as specified in the vehicle documents (b) check the functioning of the various components of the braking system of the traction unit and of the train, as appropriate, before departure, at start-up and during running
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock the RU operates over relevant to the driver?
Q41 <i>TDLCR 2010 Schedule 5</i>	OPERATING MODE AND MAXIMUM SPEED OF THE TRAIN IN RELATION TO THE LINE CHARACTERISTICS Drivers must be able to: (a) take note of information given to them before departure (b) determine the type of running and the limit speed of the train on the basis of variables such as speed limits, weather conditions or any signalling changes
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q42 <i>TDLCR 2010 Schedule 5</i>	DRIVING THE TRAIN IN A WAY WHICH DOES NOT DAMAGE INSTALLATIONS OR VEHICLES Drivers must be able to: (a) use all available control systems in accordance with the applicable rules (b) start the train taking account of adhesion and power constraints (c) apply the brakes for decelerations and stops, taking account of the rolling stock and installations
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q43 <i>TDLCR 2010 Schedule 5</i>	ANOMALIES Drivers must: (a) be able to be attentive to unusual occurrences concerning the behaviour of the train (b) be able to inspect the train and identify signs of anomalies, distinguish between them, react according to their relative importance and try to remedy them, always giving priority to the safety of rail traffic and persons (c) know the available means of protection and communication
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the

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	driver?
Q44 <i>TDLCR 2010 Schedule 5</i>	OPERATING INCIDENTS AND ACCIDENTS, FIRES AND ACCIDENTS INVOLVING PERSONS Drivers must: (a) be able to take steps to protect the train and summon assistance in the event of an accident involving persons on board the train (b) be able to determine whether the train is transporting dangerous goods and identify them on the basis of train documents and wagon lists (c) know the procedures relating to the evacuation of a train in case of emergency
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q45 <i>TDLCR 2010 Schedule 5</i>	CONDITIONS FOR CONTINUING RUNNING AFTER AN INCIDENT INVOLVING ROLLING STOCK After an incident, drivers must be able to assess whether the vehicle can continue to run and under what conditions, so as to inform the infrastructure manager of those conditions as soon as possible. Drivers must be able to determine if an expert evaluation is necessary before the train can continue.
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q46 <i>TDLCR 2010 Schedule 5</i>	IMMOBILISATION OF THE TRAIN Drivers must be able to take measures to ensure that the train, or parts thereof, does not start up or move unexpectedly, even in the most difficult conditions. Furthermore, drivers must have knowledge about measures which can stop a train or parts thereof in case it has started to move unexpectedly.
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock the RU operates over relevant to the driver?
	Assessment of Managers/Instructors
Q47 <i>TDLCR Guidance Annex C5 (14)</i> <i>ORR Guidance on Competence Management</i>	Is there an assessment procedure that reflects the competency requirement for Instructors/Trainers/Examiners in order to ensure they continue to keep the competence required by TDLCR? Specifically this competence must include: <ul style="list-style-type: none"> • Holding an EU licence and COMPANY certificate confirming professional Competence as a train driver • Detailing how they will maintain their professional competence on an ongoing basis (and what qualifications are required before a task can be performed) • Detailing how they will maintain their occupational competence on an ongoing basis • Details as to how they are kept updated of any changes to legislation, mandatory procedures, standards, new or modified traction, route alterations, organisational changes, infrequent events (e.g. seasonal issues, accidents and emergencies) and lessons learnt from industry events.
Answer	It is important that there is a set process for the attainment and

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	<p>maintaining of competence both occupational and professional. This document would apply to such as Instructors, Trainers and Assessors in supervisory and management grades. The document should cover the following which are requirements of the ORR Guidance on Competence Management:</p> <ul style="list-style-type: none"> • Principle 5 states you should determine which managers need professional competence (assessor qualification) and ALSO occupational competence (which I would define as rules applicable and driving/traction/route knowledge for the assessment of drivers) • Principle 6 states that ‘assessors should be competent’. And that they will require ‘<i>occupational competence (related to their knowledge, skills, etc in the activity they are assessing)</i>’. Furthermore, it states that Managers who operate the competence management system should be trained and their competence updated in line with the new or revised competence management system procedures. Assessors who carry out the assessment of staff should themselves be subject to assessment of their competence with a rigour similar to that used to assess staff. Both their ongoing professional competence as assessors (in the operation of the company system) and their occupational competence (related to their knowledge, skills, etc in the activity they are assessing) should be assessed. • Principle 10 states that ‘re-assessment should be carried out by staff who are competent to undertake the assessment and whose own assessment is current’ • Principle 10 also states that ‘Staff should not continue to carry out an activity after the expiry date of an assessment until they have been reassessed as competent’
	<p>Depot Drivers & Other Drivers not covered by TDLCR</p>
<p style="text-align: center;">Q48</p> <p style="text-align: center;"><i>Guidance Clause 1.8 & Annex ‘E’ for Depot Drivers – ORR position</i></p>	<p>Do the relevant RU procedures detail what if any affect the introduction of the TDLC Regulations have on company Depot (non-mainline) Drivers?</p> <ul style="list-style-type: none"> • Is it clearly stated if they require a licence? • Is it clearly stated if they need to meet the TDLCR medical standards and frequency? • If they do not require a licence is it stated what requirements the company has with regard to recruitment requirements for these drivers? • If they do not require a licence is it clear what requirements company have regarding their ongoing competency including medical fitness requirements and occupational competence
<p>Answer</p>	<p>For those drivers who do not require a licence under TDLCR, does the RU clearly document how they will be recruited, trained and assessed, and the standards they must attain in terms of medical and psychometric assessments.</p>
	<p>Contracting In Drivers From Other Railway Undertakings</p>
<p style="text-align: center;">Q49</p> <p style="text-align: center;"><i>TDLCR Guidance Clause</i></p>	<p>Does the Railway Undertaking ‘contract in’ a driver(s) from another Company?</p> <p>If so, how do they satisfy themselves that a driver is licensed and</p>

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<p>1.24 <i>TDLCR Guidance clauses 3.5, 6, Annex B3 (1)</i></p>	<p>certified in accordance with TDLCR Regulation 4?</p>
<p>Answer</p>	<p>Contractual arrangements are in place where regular hire takes place – where one railway undertakings drivers work another’s trains on a regular basis.</p> <p>For ad hoc hire, procedures are in place and are implemented as necessary.</p>

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APPENDIX E

MEETING THE TDLCR (AMENDMENT) REGULATIONS 2015 FOR LANGUAGE TESTS

Background

[Schedule 4, paragraph 8](#) (language tests) of the TDLCR amendments regulations indicates that to receive a European certificate under the regulations a driver needs to exhibit a certain level of spoken and written language (English in the case of GB Rail).

Legislation and regulation

OPETSI states the language and communication (oral) level qualification in the language (English) should be met to at least level 2 (as described in Appendix E of OPETSI which is that the individual can cope with simple practical situations, can ask questions, and can answer questions.). (NB: The OPETSI Section 7 of the OPETSI requires each member state to submit their implementation plan no later than the 1st July 2017. This does not mean that all member states must be compliant by that date, only that a plan is in place that sets out their implementation and migration towards compliance).

In the implementation plan submitted from GB railway the aspect concerning language and oral communication states elements contained in level three of the language table are met through the GB railway the train driver psychometric selection process as laid out in RIS-3751-TOM. The justification points to two references: the ORR guide to the TDLCR (ORR, 2010) & RIS-3751-TOM (issue 2).

RIS-3751-TOM meets the requirements of new legislation (TDLCR) relating to psychological assessment. The RIS provides an agreed industry method for the psychometric assessment of candidate train drivers who will drive on Network Rail managed infrastructure and is for the rail industry to use if they so choose. Transport undertakings should conduct psychometric assessments as part of the selection of train drivers according to this standard. Section 2.3.1 (Overview of the selection process) states the psychometric assessment process (provided in Table 1 of Appendix A) was designed to cover all of the key aptitudes required for safe train driving. The standardised train driver psychometric assessment process states the following for the communication selection criteria:

Selection criteria	Sub-criteria and definitions	Psychometric assessments
Communication	The ability to read, listen, understand and respond appropriately, and effectively convey information orally and in writing. Foreign language skills (only applicable to cross border drivers operating in Europe) - The ability to communicate in the language indicated by the infrastructure manager concerned on critical safety issues. Their language skills must be such that they: can communicate actively and effectively in routine, adverse and emergency situations; can cope with practical situations involving an unforeseen element; can describe; can keep a simple conversation going.	Multi-Modal Interview (MMI) Optional: Written Communication Test (WCT)

The Multi-Modal Interview (MMI) assesses oral communication and not written communication. Written communication is considered to be important in train driving but not safety critical so it is not included in the core psychometric assessment process. The Written Communication Test (WCT) is recommended as a structured way to assess written communication if required, although it is

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suggested that results of such assessment should be used to support candidate development through their training and **not used** to inform pass/fail decisions within selection.

The **Train Driving Licences and Certificates Regulations 2010** (TDLCR) as amended sets out the legal requirements of the licensing and certification system for train drivers in Great Britain. This brings into force the requirements of European Commission Directive 2007/59/EC on the certification of train drivers. Minor changes were made by the Train Driving Licences and Certificates (Amendment) Regulations 2015 which brings into force European Commission Directive 2014/82/EU. A revised guide to TDLCR was published in November 2015 which includes details of the changes. The revised guide to TDLCR states (section 4.3):

“Schedule 4 of TDLCR sets out competence requirements relating to certificates for driving on specific infrastructure. “Infrastructure knowledge” is not route knowledge alone, it also includes knowledge of operating rules and emergency procedures, and being able to work in the language used by the relevant infrastructure manager. A new standard for language competence was included in Article 8 of Schedule 4 by the amendment regulations.”

TDLCR Amendments

Article 8 of Schedule 4 (TDLCR amendment regulations 2015) states in point 5:

“8. LANGUAGE TESTS

The language requirements are as follows—

- (1) Drivers who have to communicate with the infrastructure manager on critical safety issues must have language skills in the language indicated by the infrastructure manager concerned. Their language skills must be such that they can communicate actively and effectively in routine, adverse and emergency situations.
- (2) They must be able to use the messages and communication method specified in the Annex to Commission Decision 2012/757/EU concerning the technical specification for interoperability relating to the “operation and traffic management” subsystem of the rail system in the European Union and amending Decision 2007/756/EC(a).
- (3) Drivers must be able to understand (both listening and reading) and to communicate (both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe(b).”

Level B1CEFR - REFERENCE: Common European Framework of Reference for Languages: Learning, Teaching, Assessment, 2001 (Cambridge University Press for the English version ISBN 0-521-00531-0). Also available on the [Cedefop website](#). This reference provides the descriptions Level B1 as defined in the table below.

Meeting the Level B1 requirement

The psychometric selection process as set out in RIS-3751-TOM assesses oral communication only, through the MMI. It is the opinion of RSSB that to undertake and pass the MMI a candidate would need to be able to communicate at least to the B1 level. Moreover, to undertake the psychometric assessments, the candidate is likely to need at least a B1 level in reading. Although it should be noted that reading is not assessed as part of the process.

Written communication is not assessed as part of the process. Candidates are asked to provide written answers for the Pre-Interview Form for the MMI but these do not need to be structured sentences and can be answers of a few words. Hence this is not considered a suitable method for meeting the B1 requirement for written communications.

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The WCT assess written communication, again at a basic level and relating to a specific piece of information. This test would go some way to meeting the B1 level in written communications. However RSSB recommends that the test should only be used for developmental purposes, while the test itself does not exhibit the required level of fairness demonstrated by the tests included within the psychometric assessment as laid out in RIS-3751-TOM.

As such it is the opinion of RSSB that to meet the Level B1 requirement for written communications, a rail undertaking can use the WCT but will need to use additional methods to satisfy themselves fully that the requirement has been met. This could be through the selection application form or through activities in the CMS, for example completing their developmental log books.

This response is illustrated in the table below.

CEFR Level B1		RIS-3751-TOM
Criteria	Sub-criteria & definitions	Coverage
Understanding	Listening I can understand the main points of clear standard speech on familiar matters regularly encountered in work, school, leisure, etc. I can understand the main point of many radio or TV programmes on current affairs or topics of personal or professional interest when the delivery is relatively slow and clear.	MMI – part of the assessment criteria. Required to undertake the other psychometric assessments
	Reading I can understand texts that consist mainly of high frequency everyday or job-related language. I can understand the description of events, feelings and wishes in personal letters.	SJE – not part of the assessment criteria but you need to read the scenarios. Required to undertake other psychometric assessments.
Speaking	Spoken instructions I can deal with most situations likely to arise whilst travelling in an area where the language is spoken. I can enter unprepared into conversation on topics that are familiar, of personal interest or pertinent to everyday life (e.g. family, hobbies, work, travel and current events).	MMI – part of the assessment criteria. Expected throughout the assessment process, e.g. engaging with the assessor/ assessment centre.
	Spoken production I can present clear, detailed descriptions on a wide range of subjects related to my field of interest. I can explain a viewpoint on a topical issue giving the advantages and disadvantages of various options.	MMI – part of the assessment criteria.
Writing	I can write simple connected text on topics which are familiar or of personal interest. I can write personal letters describing experiences and impressions.	MMI (PIF) not part of the assessment criteria but you need to write to complete the form – <u>although very basic.</u> WCT – optional assessment of written communications but not used to make selection judgements. Recommended only for development.

Authors: Priya Shah and Paul Leach, RSSB Human Factors Specialist and Ann Mills, Professional Head of Human Factors RSSB – October 2016