

# Press release: Report 05/2017: Near miss between a train and a track worker at Shawford

RAIB has today released its report into a near miss between a train and a track worker at Shawford on 24 June 2016.

## **Summary**

At 12:22 hrs on 24 June 2016, a train travelling at about 85 mph (137 km/h) narrowly missed striking a track worker near Shawford station, Hampshire. The track worker and a controller of site safety (COSS) had gone onto the railway to locate a reported rail defect. The track worker was not injured but was badly shaken by the incident. After making an emergency stop, the train driver reported the incident and was fit to continue his journey.

The immediate cause was that the track worker had become distracted while he was standing on a line on which trains were running. This happened because there was a breakdown in safety discipline and vigilance when the COSS and track worker went onto the railway. Firstly, they did not implement the required safe system of work for going onto the railway at Shawford. Secondly, the track worker crossed the railway without the permission of the COSS. Thirdly, the track worker was distracted and stopped on an open line when crossing back. The RAIB found a similar breakdown in safety discipline and vigilance when it investigated a fatal accident at Newark North Gate (report 01/2015). It is probable that the track worker's alertness and decision making were affected by fatigue, because he had slept in his car all week to avoid making long journeys to and from home each day. A possible underlying factor was that the rail testing and lubrication section within the Network Rail delivery unit involved was not resilient to any loss of resources or sudden increase in workload. Although not causal to the incident, the RAIB also observed that the way in which the section carried out safe system of work planning for its staff was not compliant with Network Rail's processes, and neither the COSS nor the track worker reported their involvement in the incident at the time.

## **Recommendations**

In addition to a previous recommendation and learning point from the Newark North Gate accident, which also address the key issue of the breakdown in safety discipline and vigilance in this incident, the RAIB has made three new recommendations, addressed to Network Rail. The first relates to the management of fatigue for staff needing to make long journeys before and after a shift. The second relates to making the rail testing and lubrication section of the delivery unit more able to accommodate a short-term loss of resource and peaks in workload. The third recommendation calls for Network Rail to consider the reasons why its management arrangements on Wessex Route

did not detect and rectify the non-compliances with the processes for managing the safety of people working on or near the line. The investigation also identified six learning points about: reminding staff of the importance of following existing rules and procedures; how the early use of the train's horn by drivers to give an urgent warning can avert an accident if track workers on their line do not acknowledge the first horn warning; and the timely reporting of operational incidents.

### **Notes to editors**

1. The sole purpose of RAIB investigations is to prevent future accidents and incidents and improve railway safety. RAIB does not establish blame, liability or carry out prosecutions.
2. RAIB operates, as far as possible, in an open and transparent manner. While our investigations are completely independent of the railway industry, we do maintain close liaison with railway companies and if we discover matters that may affect the safety of the railway, we make sure that information about them is circulated to the right people as soon as possible, and certainly long before publication of our final report.
3. For media enquiries, please call 01932 440015.

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## **Welsh team set to compete at Special Olympics, thanks to Welsh Government and Disability Sport Wales funding**

The event will take place from 7-12 August and is the country's largest multi-sports event for athletes with intellectual disabilities. The funding will help towards the costs of sending a team from Wales to compete at the Games.

The Special Olympics National Games are held every four years and enable children and adults to compete at a national level. Around 2,600 athletes will come together from across the country to compete in 19 sports.

Minister for Social Services and Public Health, Rebecca Evans said:

“I am pleased to be able to provide this funding, which will enable around 200 Welsh athletes to compete at the Special Olympics National Games. Training for, and participating in, events such as this one, can offer enormous benefits – not only in terms of improving people’s health and wellbeing, but also in building self-confidence.”

Economy Secretary Ken Skates said:

“It’s vital that Wales is represented at National Games such as these, building on our rich sporting history and recent success stories. I’m delighted that Welsh Government funding has helped ensure a strong Welsh presence and look forward to us playing a big part in a successful Games.”

Pippa Britton, Chair, Disability Sport Wales said:

“I am delighted that Disability Sport Wales is once again able to support Special Olympics Team Wales to attend their National Games. This event is a pinnacle moment for any athlete, providing them with opportunities to compete and engage with competitors from across the UK.

“We are very proud of the efforts of the Team and have no doubt that they will represent Wales with great distinction when they take the stage later this summer.

“We wish them all the very best of luck.”

Jeff Savory Chair & Head of Delegation Special Olympics Wales said:

“We would like to thank Disability Sport Wales and The Welsh Government for their support to the Special Olympics Wales Team. The Special Olympics GB National Summer Games are the flagship event in the 4 year cycle of Special Olympics in GB. This event also is the qualifying event for the 2019 World Games which is to be held in Abu Dhabi. “I know that every athlete will do their best to bring the silverware HOME to Wales.”

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# Ofcom consultation

I receive a great deal of correspondence from my constituents about poor service from telephone and internet companies. I am aware how much delays in getting repairs done, missed appointments and starting a new service costs in terms of time and money.






I have received the communication below from the Chief Executive of Ofcom. They are consulting on proposals to require phone and broadband to pay automatic compensation in these cases. The consultation ends on 5 June and you can access it at:

<https://www.ofcom.org.uk/consultations-and-statements/category-1/automatic-compensation>

“Ofcom has today set out new proposals to require phone and broadband companies to pay automatic compensation – either a cash payment, or a credit on a bill – to customers who suffer slow repairs, missed appointments or delays to starting new services.

When a customer’s landline or broadband goes wrong, that is frustrating enough without having to fight to get fair compensation from the phone company. So we are proposing new rules to force providers to pay money back to customers automatically, whenever repairs or installations don’t happen on time, or when people wait in for an engineer who doesn’t turn up. This would mean customers are properly compensated, while providers will be incentivised to work harder to improve their service.

Compensation payments would be set by Ofcom, and designed to reflect the degree of harm suffered by consumers. Here is how Ofcom’s automatic compensation scheme would work:

Problem	A landline or broadband customer would be entitled to compensation if...	Amount of compensation
Delayed repair following loss of service	Their service has stopped working and it is not fully fixed after two full working days.	 £10 for each calendar day that the service is not repaired
Missed appointments	An engineer does not turn up for a scheduled appointment, or it is cancelled with less than 24 hours’ notice.	 £10  £20 £30 per missed appointment
Delays with the start of a new service	Their provider promises to start a new service on a particular date, but fails to do so.	 £5  £1 £6 for each calendar day of delay, including the missed start date

We estimate that our plans would mean up to 2.6 million additional customers could receive up to £185m in new compensation payments each year. Currently, there are 7.2m instances where landline or broadband customers suffer delayed repairs, missed appointments or delays to new installations. Financial compensation from companies, totalling around £16.3m, is currently paid out

in 1.1m of these cases.

Around one-third of small and medium-sized enterprises choose residential landline and broadband services and would also benefit from our compensation proposals.

We are consulting until 5th June and plan to publish a statement at the end of the year”.

With best wishes

Helen

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## **Notice: HU12 00S, Robert Forman and Sue Forman (Trading as RN and SE Forman): environmental permit issued**

The Environment Agency publish surrenders that they issue under the Industrial Emissions Directive (IED).

This decision includes the surrender letter, decision document and site condition report evaluation template for:

- Operator name: Robert Forman and Sue Forman (Trading as RN and SE Forman)
- Installation name: Newlands Farm Pig Unit
- Permit number: EPR/KP3037MD/S002

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## **Speech: Inspection of apprenticeships from May 2017**

Thank you Kirsty, and good afternoon ladies and gentleman. It is a great pleasure to be here and my thanks to Nick and Shane at FE Week for inviting me to talk about the future of inspection.

I was delighted yesterday when Nick started to talk about quality during his opening speech. And indeed quality has been a key theme running through the conference agenda. So, given that Ofsted inspects the quality of education and training I hope you will be supportive of what I am about to say and

don't feel the need to ask difficult questions like those that were rightly asked of other speakers earlier today – or if you do, my standard answer is going to be – 'it's to ensure quality!'

Okay, seriously now...

As we have heard throughout the conference, as well as the tremendous opportunities that the apprenticeship reform programme brings, you as providers are facing numerous challenges and a significant amount of change. Inevitably, this creates uncertainty and I certainly do not want to add to that. So I hope that my main messages today will be both welcome and reassuring.

We will soon be slightly revising the further education and skills inspection handbook in readiness for the new world of apprenticeships. However, I am pleased to confirm that the only major change being made is to confirm that we will be inspecting levy-funded apprenticeships just as we inspect SFA-funded apprenticeships in line with the common inspection framework. Other than that, nothing will change substantially for the remainder of the 2016/17 inspection year, or indeed the 2017/18 inspection year, in relation to the inspection of apprenticeship provision. We are providing another year of stability and familiarity in relation to inspection. Our main message is no change: business as usual.

So how can this be?

Well, of course we are aware that new providers will enter the sector, and yes we are expecting to see more employer providers offer apprenticeship provision. But I would like to remind you that we already have a policy for the inspection of new providers: we will inspect them within 3 years of their receiving or drawing down funding. And in relation to employer providers, well of course we already inspect around 70 employer providers, so these considerations are not new to us.

We also know that there will be a continued move from apprenticeship frameworks to standard-based apprenticeships and that we are likely to see new models of delivery evolve. We anticipate new partnerships and contracting arrangements and new end-point assessment methods. But again, I would point out that we already inspect standard-based apprenticeships alongside apprenticeship frameworks now and we already see many different delivery models including for off-the-job training in the providers we inspect. These issues are not new to us.

Despite all the changes that the reforms and the levy bring, an apprenticeship will still be an apprenticeship and the characteristics of a good or outstanding apprenticeship provider will not change.

So what will inspectors be doing?

Well, they will continue to evaluate the effectiveness of apprenticeship provision by focusing on what really matters – apprentices and employers. Fundamentally, inspection looks at how well apprentices are developing the

knowledge, skills and behaviours they need to progress and how these contribute to enhancing the employer's business and productivity.

In short, inspectors will still expect to see leaders and managers in providers working with employers to ensure that apprentices are successful. They will expect apprentices to develop substantial new skills and behaviours that prepare them well for their chosen career. And they will expect employers and providers to have a clear development plan for apprentices that they monitor and evaluate frequently.

Inspectors will continue to expect apprenticeship providers to comply with defined requirements and regulations. They will continue to want to see apprentices improving their skills in English and maths. Inspectors will want to know that, because of their training, apprentices know something new, can do something better or are ready to progress. They will want to know that apprentices are well prepared to achieve end-point assessments successfully and on time.

Of course, we will keep our frameworks and handbooks under review and, should the need arise, we will make any necessary changes. I am sure that as new models of delivery emerge and different providers enter the market, that we will need to adapt our inspection practice and seek new ways of securing evidence. I am grateful to Mark Dawe and AELP and to David Hughes and AoC for enabling constructive dialogue with providers like you to shape our thinking about the ways we will need to work in the future. We will continue this important dialogue and will work with you, seeking your views, piloting new approaches and consulting you when necessary to ensure that our inspections remain fit for purpose.

You will be aware, as we are, that the move from frameworks to standards will be a gradual process. Learners on frameworks still account for the majority of apprentices on programme. Similarly, while we anticipate an increase in the number of apprentices on higher and degree apprenticeships, we know that the majority of apprentices are still on intermediate and advanced level apprenticeships.

We continue to work closely with colleagues at the DfE and with HEFCE to ensure the accountability regime for apprenticeships is clearly defined. We are expecting the DfE to issue an accountability statement to the sector that will detail the respective roles of Ofsted, HEFCE and the IfA in relation to the quality regime. I can confirm that any Ofsted inspection of apprenticeship provision, regardless of whether apprentices are on frameworks or standards, and irrespective of where provision is delivered and by what type of provider, will follow our normal inspection processes that many of you are familiar with.

We are aware that, for some time to come, you as providers are likely to have apprentices on both frameworks and standards, and that many of you are likely to have different contracting arrangements. We will ensure, with your help, that inspectors take due account of these factors and consider their weighting proportionally when arriving at inspection judgements.

In order to gain a better understanding of the providers that we will be inspecting and the delivery models that are being used, I can announce today that we do intend to write to independent learning providers to seek some information that will enable us to better understand your provision. While we will reserve the right to inspect providers at any reasonable time, we do intend to ask you to identify limited (I say again, limited) periods of time when inspection would be problematic and to seek other information that will be useful to aid our inspection planning and scheduling processes and make inspection as positive an experience for you as possible.

We will continue to ensure that our inspectors are appropriately trained and reflect the diverse provider base that exists. I remain committed to ensuring that, whenever possible, and where required, inspectors with appropriate subject experience and expertise will be deployed on inspection. As you know, we usually achieve this by using our Ofsted Inspector workforce, which consists mainly of serving practitioners like many of you. Should the need arise, we will recruit and train further specialist inspectors to ensure that we have the necessary experience and expertise to carry out our inspections.

In summary, Ofsted is fully supportive of the apprenticeship reform programme and of the government's target to create 3 million apprenticeships. We do however, want these apprenticeships to be of high quality, in the sectors where there are skills shortages and in the age groups where they are needed. We need to ensure that the apprenticeship brand is protected and valued. We must not allow the increase in apprenticeship numbers to come from inappropriate roles and a further rise in the validation of pre-existing skills and competences, rather than the development and accreditation of new skills for apprentices aged 16 to 25.

Ofsted certainly welcomes the increase in funding for apprenticeships and indeed for technical education generally. It is pleasing to see the priority the government has placed on the further education and skills sector. I believe the apprenticeship reforms provide a good opportunity for employers to play an even greater role in training, and for providers, I hope to see the development of even stronger partnerships to ensure that training programmes better equip apprentices with the knowledge, skills and behaviours employers want and need.

That is what we will be looking for during our inspections and I will do all I can to work with you and support you in further raising the quality of apprenticeship provision for the good of employers, the economy and most importantly of all, for the apprentices.

Thank you very much for listening.