

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

Signatures removed from electronic version

Synopsis

This document provides guidance to train operators and the vehicle supply industry on the interpretation of the **compliance** requirements of Railway Group Standards for the acceptance of new railway **vehicles**.

Submitted by

Anne E Blakeney
Standards Project Manager

Authorised by

Brian Alston
Controller, Railway Group Standards

This document is the property of Railway Safety. It shall not be reproduced in whole or in part without the written permission of the Controller, Railway Group Standards, Railway Safety.

Published by:
Railway Safety
Evergreen House
160 Euston Road
London NW1 2DX

© Copyright 2002 Railway Safety

Uncontrolled When Printed

This page has been left blank intentionally

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

Contents

Section	Description	Page
Part A		
A1	Issue record	2
A2	Implementation of this document	2
A3	Responsibilities	2
A4	Health and safety responsibilities	2
A5	Technical content	2
A6	Supply	3
Part B		
B1	Purpose	5
B2	Application of this document	5
B3	Background	5
B4	Responsibilities	5
B5	Situations requiring clarification	6
B6	Other factors	8
B7	Use of non-compliance / derogation procedure	9
References		10

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

Part A

A1 Issue record

Issue	Date	Comments
One	April 2000	Original Document
Two	August 2002	Replaces issue one

The text of this Guidance Note has been subject to extensive re-writing and therefore no amendment bars have been inserted.

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

A2 Implementation of this document

The publication date of this document is 3 August 2002.

This document supersedes the following Railway Group Guidance Notes, either in whole or in part as indicated:

Railway Group Guidance Note	Issue No.	Title	GN sections superseded by this document	Date(s) as of which sections are superseded
GM/GN2561	1	Guidance Note: Compliance With RGSs - New Vehicles.	All remaining sections	5 October 2002 (Whole document withdrawn as of this date)

A3 Responsibilities

Railway Group Guidance Notes are non-mandatory documents providing helpful information relating to the control of hazards and often set out a suggested approach, which may be appropriate for Railway Group* members to follow.

* The Railway Group comprises Railtrack PLC, Railway Safety, and the train and station operators who hold Railway Safety Cases for operation on or related to infrastructure controlled by Railtrack PLC.

Railtrack PLC is known as Railtrack.

A4 Health and safety responsibilities

In issuing this document, Railway Safety makes no warranties, express or implied, that compliance with all or any document published by Railway Safety is sufficient on its own to ensure safe systems of work or operation. Each user is reminded of its own responsibilities to ensure health and safety at work and its individual duties under health and safety legislation.

A5 Technical content

The technical content of this document has been approved by:

Haydn Peers, Principal Vehicles Engineer, Railway Safety

Enquires to be directed to Railway Safety – Tel: 020 7904 7518

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

A6 Supply

Controlled and uncontrolled copies of this document may be obtained from the Industry Safety Liaison Dept, Railway Safety, Evergreen House, 160 Euston Road, London NW1 2DX.

Railway Group Guidance Note

GM/GN2561

Issue Two

Date August 2002

Page 4 of 10

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

This page has been left blank intentionally

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

Part B

B1 Purpose

This document provides guidance to train operators and the vehicle supply industry on the interpretation of the **compliance** requirements of Railway Group Standards for the acceptance of new railway **vehicles**.

B2 Application of this document

B2.1 To whom the guidance applies

This document contains guidance that is applicable to Railway Safety and duty holders of the train operator category of Railway Safety Case.

B3 Background

B3.1 Railway Group Standards published prior to October 2000

The basic principle for Railway Group Standards is that they should produce an improving level of system safety and safe interworking. This is achieved by attention to risk areas and improvements in mandatory requirements to limit the effects of those risks.

Some confusion has existed within the railway industry as to how the **compliance** date contained in existing Railway Group Standards, in particular those published before October 2000, should be interpreted. This is particularly the case when long-term contracts are in place for the staged procurement of new fleets of railway **vehicles**.

There is a need to implement a consistent policy across all Railway Group Standards insofar as the **compliance** requirements are concerned and a revised template recently introduced for all Railway Group Standards applicable to railway **vehicles** now addresses this requirement. This document addresses those existing Railway Group Standards where revised **compliance** requirements have not yet been introduced.

All future issues of Railway Group Standards relevant to the railway vehicle supply industry will include explicit **compliance** requirements based on the Certification of Design Conformance phase of the project.

All Railway Group Standards circulated as part of the consultation process will, in future, clearly set out the proposed **compliance** clause.

It is important that all members of the railway industry consider the implications of **compliance** when a new or revised Railway Group Standard is circulated for consultation. This will support the drafting of robust **compliance** clauses.

B4 Responsibilities

B4.1 General

This document does not over-rule, or change, any mandatory requirement documented in a Railway Group Standard. Where it is considered that the guidance given in this document is in conflict with the **compliance** clause documented in a Railway Group Standard, the Railway Group member has the responsibility of regularising the position by obtaining either a non-**compliance** or derogation against the Railway Group Standard as appropriate. When preparing an application for a non-**compliance** or derogation against a Railway Group Standard the guidance given in this document may be used to support the application.

B4.2 Train operators

Train operators are mandated by their Railway Safety Case and by their train operators licence to comply with Railway Group Standards.

When new railway **vehicles** are procured, the train operator normally requires the new railway **vehicles** to conform to the requirements of Railway Group Standards

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

through contracts with the vehicle supplier. However, the legal duty of the train operator to ensure **compliance** with Railway Group Standards cannot be delegated and rests with the train operator. Where it is considered that the mandatory requirements of Railway Group Standards are not justified the train operator is responsible for ensuring that the situation is regularised by obtaining a non-**compliance** or derogation as appropriate. Failure to do this places the train operator in breach of its Railway Safety Case and train operators licence.

B4.3 Vehicle suppliers (manufacturers)

The vehicle suppliers, and in the majority of circumstances the vehicle owners, normally have a contractual responsibility to the train operator to ensure that any new railway **vehicles** comply with the requirements of Railway Group Standards. Where it is considered that the specific mandatory requirements of a Railway Group Standard are not justified or cannot be reasonably complied with the vehicle supplier should advise the train operator that a non-**compliance** or derogation should be obtained.

B4.4 Railway Safety

Railway Safety has the responsibility for the accreditation and appointment of Vehicle Acceptance Bodies who, in turn, ensure that all railway **vehicles**, proposed for operations on Railtrack controlled infrastructure, are assessed for **compliance** with Railway Group Standards and certified as appropriate.

B4.5 Vehicle Acceptance Bodies

The Vehicle Acceptance Bodies have a responsibility on behalf of Railway Safety to certify that new builds of railway **vehicles** comply with the mandatory requirements of Railway Group Standards as set out in each Railway Group Standard's **compliance** clause.

When the Vehicle Acceptance Body is of the opinion that, based on the guidance given in this document, such certification should be based on a previous issue of a Railway Group Standard, the Vehicle Acceptance Body should advise the train operator that the position should be regularised by obtaining a non-**compliance** or derogation as appropriate. A copy of this advice should be made available to Railway Safety.

B5 Situations requiring clarification

There are three general areas where clarification is required. In the following section of this document the three areas are identified, the principle that should be adopted to cover the situation is stated and then guidance is offered in interpretation of that principle.

B5.1 When new railway **vehicles** are modified to achieve **compliance** with the original contract requirements

It is not unusual for basic design modifications to be necessary during the early life of a new vehicle type to achieve the contractual requirements of the customer. These will often occur for a substantial period of time following the initial certification of the vehicle by a Vehicle Acceptance Body. Where the modifications affect mandatory requirements, it is of course necessary to re-certify these modifications. If the applicable Railway Group Standard, which deals with the area to be modified, has been re-issued subsequent to the initial design certification of the vehicle, the manufacturer may be faced with both modifications to achieve the customer's performance requirements and modifications to meet a changed Railway Group Standard safety requirement. This latter change to meet a re-issued Railway Group Standard could introduce substantial cost and time scale issues.

B5.1.1 Principle

There should be no requirement to incorporate any additional or changed requirements resulting from Railway Group Standards being re-issued since the original Certification of Design Conformance unless the re-issued Railway Group Standards contains a requirement that applies to existing railway **vehicles**.

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

B5.1.2 Guidance

This guidance applies where:

- a) there is no change to the specification of the vehicle associated with the deficiency
- b) the Railway Group Standards issued or re-issued do not contain a section that applies to previously certificated railway **vehicles**.

Where the modifications affect requirements contained in Railway Group Standards, any changes arising from the re-issue of the Railway Group Standards should be considered and only implemented where practicable.

When a variation is issued to the specification of the original contract that results in a design change requiring re-issue of the Certification of Design Conformance, the Railway Group Standards current at such time as the re-certification is undertaken should be complied with.

B5.2 When a train operator has placed a long-term contract, which allows for future builds of the same vehicle design

Where a manufacturer has a long-term build programme they may be producing a vehicle to the same design for many years. If a long-term contract existed, this could mean that in ten years' time a vehicle could be produced under cover of the original Engineering Acceptance certificate and therefore compliant with the Railway Group Standards in place at the time of the original certification. This is considered unreasonable, as it would mean for these railway **vehicles** that the safety performance was frozen at the level that existed when the vehicle achieved its first Certification of Design Conformance. Similar situations may occur where contracts are placed which have follow-on options in them allowing the customer to place a further order at some date in the future to the same specification.

B5.2.1 Principle

Any additional builds of railway **vehicles**, which are not part of the initial build, should be checked for **compliance** with Railway Group Standards current at the time the additional build is ordered.

B5.2.2 Guidance

The following guidance applies when:

- a) there is no variation to contract on the follow-on build
- b) Railway Group Standards issued or re-issued subsequent to the initial build certification do not contain requirements that apply to existing railway **vehicles**.

Any additional builds to the same design, which are follow-on from the original build and for which Engineering Acceptance certification has to be obtained, should be reviewed against the current Railway Group Standards in force at the date of confirmation of the follow-on order. Where the follow-on order has commenced within five years of the date of the original first certificate of conformance for design, **compliance** with the Railway Group Standards in force at the time of the issue of the first certificate of conformance for design will be acceptable.

When it is intended to follow the above guidance a record is to be made which clearly identifies the date the follow-on order is made, the date of the original design certification and the Railway Group Standards which will be complied with. A copy of this record is to be forwarded to Railway Safety by the train operator with a covering letter setting out the circumstances.

Any non-**compliance**, or derogation which has been issued in connection with the initial build, should not be assumed to apply to any future builds. A new

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

application should be made if it is required for the non-compliance or derogation to continue.

When additional builds are commenced at a date more than 5 years after the original build, even if the build is to be the same as an earlier build and the order is placed under a long-term contract, the process of Engineering Acceptance will be on the basis of a new railway vehicle design.

B5.3 When a Railway Group Standard changes during the course of an existing contract

When a Railway Group Standard is re-issued with a different issue number, or an entirely new Railway Group Standard is issued, the old issue of the Railway Group Standard is normally withdrawn. The new or re-issued Railway Group Standard will give compliance dates, together with compliance dates for existing vehicle builds that extend past the issue date of the new Railway Group Standard. On such occasions where the first Certificate of Design Conformance has not yet been signed, but a significant amount of re-work is required, alternative arrangements may be required.

B5.3.1 Principle

The Railway Group member, or vehicle owner employing the contractor, should not be required to instruct the contractor to comply with the newly issued Railway Group Standard, when the situation described in B5.3 occurs and there has been insufficient time to rework the design requirements.

B5.3.2 Guidance

The following guidance applies when the situation described in B5.3 occurs. The Railway Group member, in conjunction with the contractor, should assess the implications of complying fully with the new Railway Group Standard.

If the Railway Group member and contractor still consider that it is not reasonably practicable to fully comply with the new Railway Group Standard, and providing the general principles of the new compliance clause allow, the following action should be taken:

- a) Assess whether the circumstances set out in section B5.3 apply and if this is the case, decide which Railway Group Standard (the old one or the new one) is to be used as the benchmark for compliance and record the reasons. The decision should be based on reducing risks to as low as reasonably practicable rather than purely convenience.
- b) Record the reasons why it is not reasonably practicable to comply fully with the new (current) Railway Group Standard.
- c) Regularise any non-compliances and derogations against the chosen benchmark Railway Group Standard by seeking an appropriate derogation against the new standard.

Applications for non-compliances and derogations should be accompanied by sufficient information to justify the decisions taken in a) and b) above.

B6 Other factors

Railway Safety will issue a forward programme of work for all Railway Group Standards. This will enable the industry to anticipate and be consulted on the implications of any such changes for long-running contracts.

It should be noted that the current procedure for consultation on Railway Group Standards allows for comment on the proposed compliance requirements of the standard. The industry therefore has a method of inputting into new standards and drawing Railway Safety's attention to any likely problems for long-running contracts.

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

B7 Use of non-compliance / derogation procedure

Railway Group Standards [GA/RT6001](#) and [GA/RT6006](#) set out the process for regularising non-compliances and derogations. The guidance given in this document does not remove the responsibility, which rests with the Railway Group member, for regularising all known non-compliances.

Guidance Note: Compliance with Railway Group Standards – New Railway Vehicles

References

Railway Group Standards and other Railway Group Documents

- [GA/RT6001](#) Railway Group Standards Change Procedures
- [GA/RT6006](#) Derogations from Railway Group Standards

The Catalogue of Railway Group Standards and the Railway Group Standards CD-ROM give the current issue number and status of documents published by Railway Safety