



Rethinking safety through  
**INCLUSION**  
+  
**WELLBEING**

**RAIL**

**ELEMENT 21**

11/09/2023

# NOTIFIABLE OCCURRENCE AND RAILWAY INCIDENT INVESTIGATIONS

## PURPOSE AND SCOPE

This procedure outlines the management, investigation, reporting and notification process for all rail safety Notifiable Occurrences and Prescribed Incidents, incurred during Laing O'Rourke's railway operations. For WH&S related incidents further information is available through the System Requirement Event Management and Reporting.

### 1.0 PROCEDURES

#### 1.1 INTERNAL INCIDENT NOTIFICATION

All rail incidents shall be notified to the Supervisor immediately. The Supervisor is responsible for ensuring the relevant personnel are notified.

For the purposes of rail safety, Notifiable Occurrences are either deemed to be

- CATEGORY A - **Table 1**
- PRESCRIBED INCIDENTS NSW ONLY - **Table 2**
- CATEGORY B - **Table 3**
- CATEGORY C - **Table 3**

The response to such occurrences will depend on the Category they are so determined.

### 2.0 CATEGORY A NOTIFIABLE OCCURRENCES

The following Category A occurrences (**Table 1**) **must be immediately notified to ONRSR (ph: 1800 430 888)** by a Laing O'Rourke representative if the occurrence directly relates to Laing O'Rourke's accredited railway operations.

If one of the Category A Notifiable Occurrences or an immediately reportable Prescribed Incident occurs on, or in relation to, Laing O'Rourke's railway premises or railway operations, the Senior Laing O'Rourke Manager responsible for the railway operations must:

- report the event immediately to the Rail Safety & Compliance Manager who will contact the GM HSE, Head of Legal to establish legal professional privilege around the incident (where required), and inform the Managing Director as well as the respective Director (Major Projects or Core & Specialist Business) the GM Operations, GM Select, GM Rail Operations and the HSE Leads as applicable.
- immediately, after becoming aware of the occurrence, give an oral report of the occurrence to the Office of the National Rail Safety Regulator – 1800 430 888.
- provide sufficient information to the Rail Safety & Compliance Manager to allow a report to be lodged with ONRSR within 72 hours

In terms of the railway operations carried out in NSW, if a rail safety worker is involved in a Prescribed Incident while carrying out rail safety work in respect of the operators railway operations the operator must SFAIRP, require the worker to undergo drug and alcohol testing within 3 hours immediately after the incident.



Table 1 Category A Notifiable Occurrences

## Part 1 Category A Notifiable Occurrences

**Immediately Notifiable to ONRSR by phone on 1800 430 888**

<p><b>1.</b> <b>Collisions and near hits</b></p>	<p>(1) A collision between a train and -</p> <ul style="list-style-type: none"> <li>(a) a rail safety worker; or</li> <li>(b) a person (other than a rail safety worker) that results in a serious injury or fatality, including self harm incidents; or</li> <li>(c) another train on the running line; or</li> <li>(d) a vehicle (other than a train) at a level crossing; or</li> <li>(e) a vehicle (other than a train) that results in a serious injury or fatality.</li> </ul> <p>(2) A collision, that results in significant damage or a serious injury or fatality, between a train and -</p> <ul style="list-style-type: none"> <li>(a) another train; or</li> <li>(b) rolling stock (other than a train); or</li> <li>(c) plant or machinery within a rail worksite; or</li> <li>(d) rail infrastructure.</li> </ul> <p>(3) A near hit between a train and a rail safety worker.</p>
<p><b>2.</b> <b>Derailment</b></p>	<p>A derailment that -</p> <ul style="list-style-type: none"> <li>(a) consists of the derailment of a single unit of rolling stock and results in significant damage; or</li> <li>(b) consists of the derailment of more than 1 unit of rolling stock; or</li> <li>(c) consists of the derailment of passenger rolling stock that is in service; or</li> <li>(d) occurs in proximity of persons who were at risk of injury from the rolling stock or debris as a result of the derailment.</li> </ul>
<p><b>3.</b> <b>Wrong side failure</b></p>	<p>(1) A safety critical integrated engineered system has failed, or is suspected to have failed, in an unsafe manner and not in accordance with the system's design principles, including in relation to the following systems:</p> <ul style="list-style-type: none"> <li>(a) active level crossings;</li> <li>(b) signalling systems;</li> <li>(c) authority management systems;</li> <li>(d) rolling stock interlocking systems;</li> <li>(e) train protection systems;</li> <li>(f) electrical traction systems;</li> <li>(g) track detection systems.</li> </ul> <p>(2) A total failure of level crossing warning lights or boom barriers.</p>
<p><b>4.</b> <b>Proceed authority exceeded</b></p>	<p>(1) A train (not including a light rail vehicle) that exceeds a limit of a proceed authority or proceeds without proceed authority on, or onto, a running line -</p> <ul style="list-style-type: none"> <li>(a) due to the driver missing the limit of authority completely; or</li> <li>(b) that results in the train entering an occupied section of track or the train being in conflict with another train movement.</li> </ul> <p>(2) A train (including a light rail vehicle) that exceeds a limit of a proceed authority or proceeds without proceed authority on, or onto, a running line that results in the train -</p> <ul style="list-style-type: none"> <li>(a) entering a rail worksite; or</li> <li>(b) entering an active level crossing without warning devices activating.</li> </ul> <p>(3) A train (including a light rail vehicle) that proceeds while a restraint authority is in place.</p>



## Part 1 Category A Notifiable Occurrences

**Immediately Notifiable to ONRSR by phone on 1800 430 888**

<p>5. <b>Rolling stock runaway</b></p>	<p>(1) A runaway of a train or rolling stock on, or onto, a running line.</p> <p>(2) A runaway of a train or rolling stock in a yard that occurs in proximity of persons who were at risk of injury from the train or rolling stock as a result of the runaway.</p>
<p>6. <b>Fire, explosion or dangerous goods spill</b></p>	<p>A fire, explosion or spill of dangerous goods that directly threatens the safety of people.</p>
<p>7. <b>Breach of network rules or procedures</b></p>	<p>A breach or omission of, or failure to comply with, a network rule, process or procedure, that results in an immediate or direct threat to the safety of people or railway operations including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) failure to maintain a safe separation of trains with other trains, people or machinery (for example, due to the issuing of an incorrect proceed authority or incorrect protection arrangements);</li> <li>(b) a worker who is on a track without authority;</li> <li>(c) failure to protect a person who is working near electrical infrastructure, including trains being routed into de energised or isolated sections of track;</li> <li>(d) a worker who is near electrical infrastructure without authority.</li> </ul>
<p>8. <b>Load irregularity</b></p>	<p>A load irregularity that results in an immediate or direct threat to the safety of people or railway operations including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a load that has shifted and breached the maximum kinetic rolling stock outline that applies in respect of that rolling stock;</li> <li>(b) a load that has been lost during transit on a running line.</li> </ul>
<p>9. <b>Rolling stock irregularity (including monitoring systems)</b></p>	<p>A rolling stock irregularity that results in an immediate or direct threat to the safety of people or railway operations, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a complete bearing failure;</li> <li>(b) a broken axle or wheel;</li> <li>(c) a train parting that did not apply the brakes.</li> </ul>
<p>10. <b>Track irregularity</b></p>	<p>A track irregularity that results in an immediate or direct threat to the safety of people or railway operations, including trains traversing an undetected track defect resulting in injury of train crew or passengers or near derailment.</p>
<p>11. <b>Civil infrastructure irregularity</b></p>	<p>A civil infrastructure irregularity that results in an immediate or direct threat to the safety of people or railway operations, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a bridge collapse;</li> <li>(b) a tunnel collapse.</li> </ul>
<p>12. <b>Electrical traction irregularity</b></p>	<p>An electrical traction irregularity that results in an immediate or direct threat to the safety of people or railway operations, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) overhead wires falling near people;</li> <li>(b) a failure that exposes a person to a risk of electrocution.</li> </ul>



## Part 1 Category A Notifiable Occurrences

**Immediately Notifiable to ONRSR by phone on 1800 430 888**

<p><b>13.</b> <b>Incidents at person and train interfaces</b></p>	<p>(1) Any of the following incidents:</p> <ul style="list-style-type: none"> <li>(a) a train passenger door or platform screen door being open while the train is in motion;</li> <li>(b) a person being caught in the passenger door of a train as the train begins to move, or while it is in motion;</li> <li>(c) an incident involving a platform screen door that results in— <ul style="list-style-type: none"> <li>(i) a person being caught and exposed to a moving train; or</li> <li>(ii) a person being caught between a train and the platform screen door.</li> </ul> </li> </ul> <p>(2) Any slip, trip or fall by a person that occurs at an interface between a person and a train that results in a serious injury or fatality, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a fall by a person while boarding or alighting from a train;</li> <li>(b) a fall by a person from a platform onto a track;</li> <li>(c) a fall by a person between a train and a platform.</li> </ul>
<p><b>14.</b> <b>Other incidents or accidents involving serious injury or fatality</b></p>	<p>(1) Any incident or accident not included in a preceding provision of this Part, including an incident of self harm, that results in a serious injury to, or fatality of, a person as a result of, or in relation to, railway operations.</p> <p>(2) Any incident or accident not included in a preceding provision of this Part, that results in a serious injury to, or fatality of, a rail safety worker while performing rail safety work.</p>
<p><b>15.</b> <b>Other incidents or accidents directly threatening rail safety</b></p>	<p>A rail safety incident or accident that is not included in a preceding provision of this Part, that directly threatens the safety of people or railway operations.</p> <p>Examples of such other incidents or accidents may include—</p> <ul style="list-style-type: none"> <li>(a) an incident that involves sabotage or breach of cyber security;</li> <li>(b) an event that results in an emergency evacuation to protect public safety;</li> <li>(c) the sudden incapacity of a rail safety worker while performing a safety critical task or function;</li> <li>(d) de training of passengers into an uncontrolled environment;</li> <li>(e) a train that significantly exceeds permitted speed</li> </ul>

### 3.0 PRESCRIBED INCIDENTS NSW ONLY

An immediately reportable Prescribed Incident means any of the following that occur on railway premises in NSW:

**Table 2 Prescribed Incidents NSW Only**

#### Prescribed Incidents NSW Only

##### **Immediately Notifiable to ONRSR by phone on 1800 430 888**

<p><b>Regulation 28(7)</b></p>	<ul style="list-style-type: none"> <li>(a) a collision between rolling stock;</li> <li>(b) a collision between rolling stock and a person;</li> <li>(c) a collision between rolling stock and a road vehicle or plant equipment;</li> <li>(d) the derailment of rolling stock;</li> <li>(e) a breach of the rail infrastructure manager's network rules;</li> <li>(f) any other incident that the Regulator may, by notice in writing to a rail transport operator, declare to be a type of prescribed incident in respect of the operator's railway operations.</li> </ul>
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There are mandatory drug and alcohol provisions relating to immediately reportable Prescribed Incidents and these are further explained in **E26 Drug and Alcohol Management**.



## 4.0 CATEGORY B NOTIFIABLE OCCURRENCES

Any of the following notifiable occurrences is a **Category B** notifiable occurrence. (Table 3)

If a Category B notifiable occurrence happens on, or in relation to, Laing O'Rourke's railway premises or railway operations, the Senior Laing O'Rourke Manager must provide the Rail Safety & Compliance Manager with sufficient information, to notify ONRSR within 72 hrs of becoming aware of the occurrence and complete the ONRSR data submission tasks within 14 days.

**Table 3 Category B Notifiable Occurrences**

### Part 2 Category B Notifiable Occurrences

**Notify ONRSR within 72 hrs. Complete the ONRSR data submission tasks within 14 days.**

16. Collisions and near hits	(1) A collision between a train and a person, other than a rail safety worker, that does not result in a serious injury or fatality.
	(2) A collision (that is not a Category A notifiable occurrence) between a train and - (a) another train; or (b) rolling stock (other than a train); or (c) plant or machinery within a rail worksite; or (d) rail infrastructure.
	(3) A near hit (that is not a Category A notifiable occurrence) between a train and - (a) another train; or (b) a person or a vehicle (other than a train) at a level crossing; or (c) rolling stock (other than a train); or (d) plant or machinery within a rail worksite; or (e) rail infrastructure.
17. Derailment	A derailment that is not a Category A notifiable occurrence.
18. Proceed authority exceeded	(1) A train (not including a light rail vehicle) that exceeds a limit of a proceed authority or proceeds without proceed authority on, or onto, a running line, other than due to a train rolling back (that is not a Category A notifiable occurrence).
	(2) A light rail vehicle that exceeds a limit of a proceed authority or proceeds without proceed authority that results in a near hit (that is not a Category A notifiable occurrence).
19. Rolling stock runaway	A runaway of a train or rolling stock (that is not a Category A notifiable occurrence) that occurs within a yard and where the distance of the train or rolling stock runaway is more than 10 metres.
20. Fire, explosion or spill of dangerous goods	(1) A fire (that is not a Category A notifiable occurrence) that does not directly threaten the safety of people, being - (a) a fire that occurs on an unoccupied locomotive or in an unoccupied driving cab; or (b) a lineside fire caused by a train; or (c) a fire that results in damage to rail infrastructure or rolling stock.
	(2) An accident or incident (that is not a Category A notifiable occurrence) that involves the spill of dangerous goods that results in damage to rail infrastructure or rolling stock.
	(3) Any other fire, explosion or spill of dangerous goods that does not directly threaten the safety of people.



## Part 2 Category B Notifiable Occurrences

**Notify ONRSR within 72 hrs. Complete the ONRSR data submission tasks within 14 days.**

<p><b>21.</b> <b>Breach of network rules or procedures</b></p>	<p>A breach or omission of, or failure to comply with, a network rule, process or procedure, that does not result in an immediate or direct threat to the safety of people or railway operations, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) failure to maintain a safe separation of trains with other trains, people or machinery (for example, due to the issuing of an incorrect proceed authority or incorrect protection arrangements);</li> <li>(b) a worker who is on a track without authority;</li> <li>(c) failure to protect a person who is working near electrical infrastructure, including trains being routed into de energised or isolated sections of track;</li> <li>(d) a worker who is near electrical infrastructure without authority.</li> </ul>
<p><b>22.</b> <b>Rolling stock irregularity (including monitoring systems)</b></p>	<p>(1) A rolling stock irregularity that does not result in an immediate or direct threat to the safety of people or railway operations, but does require operating restrictions to be applied, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a non critical failure of vehicle structural integrity;</li> <li>(b) a non critical reduction in braking performance;</li> <li>(c) a failure that requires the isolation of vigilance or on board train protection systems;</li> <li>(d) a draw gear or coupler failure.</li> </ul> <p>(2) A train parting other than a train parting that is a Category A notifiable occurrence.</p>
<p><b>23.</b> <b>Track irregularity</b></p>	<p>A track irregularity (that is not a Category A notifiable occurrence) that is detected outside of track maintenance or inspection activities and that requires the imposition of an operational restriction, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a broken rail (including a fish plate);</li> <li>(b) a rail defect;</li> <li>(c) a track defect that affects horizontal alignment;</li> <li>(d) a track defect that affects vertical alignment;</li> <li>(e) spread track;</li> <li>(f) a points irregularity where damage may result in a threat to the safety of railway operations.</li> </ul>
<p><b>24.</b> <b>Other incidents or accidents involving serious injury or fatality</b></p>	<p>An incident or accident (that is not a Category A notifiable occurrence) involving a road vehicle that results in a serious injury to, or fatality of, a member of a train crew who is on roster while in transit to or from a service.</p>

## 5.0 CATEGORY C NOTIFIABLE OCCURRENCES

Any of the following notifiable occurrences is a **Category C** notifiable occurrence. (Table 3)

If a Category C notifiable occurrence happens on, or in relation to, Laing O'Rourke's railway premises or railway operations, the Senior Laing O'Rourke Manager must provide the Rail Safety & Compliance Manager with sufficient information to report the occurrence in the annual Safety Performance Report.



Table 4 Category C Notifiable Occurrences

## Part 3 Category C Notifiable Occurrences

## NOTIFICATION

<b>25.</b> <b>Collisions and near hits</b>	A collision or near hit (that is not a Category A or a Category B notifiable occurrence) - (a) between a train and a vehicle (other than a train); or (b) between a train and a person.
<b>26.</b> <b>Proceed authority exceeded</b>	(1) A train that exceeds a limit of a proceed authority or proceeds without proceed authority (that is not a Category A or a Category B notifiable occurrence) where— (a) the rear portion of an otherwise stationary train (not including a light rail vehicle) rolls back resulting in part of the rear vehicle re occupying a section of track; or (b) in the case of a train (including a light rail vehicle) within a yard—the train remains in the yard.  (2) Any other incident where a train (including a light rail vehicle) exceeds a limit of a proceed authority or proceeds without proceed authority that is not a Category A or a Category B notifiable occurrence.
<b>27.</b> <b>Rolling stock runaway</b>	A runaway of a train or rolling stock (that is not a Category A or a Category B notifiable occurrence) that occurs within a yard and where the distance of the train or rolling stock runaway is 10 metres or less.
<b>28.</b> <b>Breach of network rules or procedures</b>	A breach or omission of, or failure to comply with, work scheduling practices and procedures set out in the rail transport operator's fatigue risk management program.
<b>29.</b> <b>Load irregularity</b>	A load irregularity, that does not result in an immediate or direct threat to the safety of people or railway operations, including— (a) an open door, hatch, gate or curtain or an ineffective load restraint that results, or may result, in the loss of a load or a collision; and (b) an uneven distribution of a load, or underloading or overloading beyond safety tolerances (for example, due to the way a train that includes empty and loaded wagons is configured).
<b>30.</b> <b>Rolling stock irregularity (including monitoring systems)</b>	A failure of systems and processes designed to identify and manage rolling stock irregularities, that is not a Category A or a Category B notifiable occurrence, including the following: (a) a failure of wayside monitoring equipment; (b) an administrative failure that allows defective rolling stock to remain in service.
<b>31.</b> <b>Level crossing irregularity</b>	A failure of level crossing equipment (that is not a Category A or a Category B notifiable occurrence) that results in the intended level of protection not being fully provided prior to, or during, the passage of a train through the crossing, including in the case of the following: (a) only partial operation of an active warning device (for example, not all warning lights operating); (b) slow or incomplete lowering of boom barriers for the passage of a train; (c) locking systems on pedestrian gates (including emergency escape gates) failing to fully engage when closed; (d) missing or damaged control signs and devices at a passive level crossing.



## Part 3 Category C Notifiable Occurrences

## NOTIFICATION

<p><b>32.</b> <b>Track irregularity</b></p>	<p>A track irregularity (that is not a Category A or a Category B notifiable occurrence) that is detected during track maintenance or inspection activities and that requires the imposition of an operational restriction, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a broken rail (including a fish plate);</li> <li>(b) a rail defect;</li> <li>(c) a track defect that affects horizontal alignment;</li> <li>(d) a track defect that affects vertical alignment;</li> <li>(e) spread track;</li> <li>(f) a points irregularity where damage may result in a threat to the safety of railway operations.</li> </ul>
<p><b>33.</b> <b>Civil infrastructure irregularity</b></p>	<p>A civil infrastructure irregularity (that is not a Category A notifiable occurrence) that does not result in an immediate or direct threat to the safety of people or railway operations, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a bridge strike by a road vehicle;</li> <li>(b) a significant track obstruction (for example, a landslide, rock fall, fallen tree, flood water or other infrastructure);</li> <li>(c) an embankment failure;</li> <li>(d) a structural defect of a viaduct, bridge, tunnel or station infrastructure;</li> <li>(e) a scaffolding collapse.</li> </ul>
<p><b>34.</b> <b>Electrical traction irregularity</b></p>	<p>An electrical traction irregularity (that is not a Category A notifiable occurrence) that does not result in an immediate or direct threat to the safety of people or railway operations, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a de wiring or entanglement of overhead wiring;</li> <li>(b) failure of overhead wiring;</li> <li>(c) a traction equipment fault.</li> </ul>
<p><b>35.</b> <b>Incidents at person and train interfaces</b></p>	<p>(1) A train passenger door failure, system failure or an incident involving a train or a platform screen door (that is not a Category A notifiable occurrence) that results in a risk to the safety of passengers, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a defective passenger train door or inter carriage door;</li> <li>(b) a train door that opens on the incorrect side of the train or while the train is not at, or completely at, the platform;</li> <li>(c) a platform screen door that opens while a train is not present;</li> <li>(d) an emergency door release failing to function.</li> </ul> <p>(2) Any slip, trip or fall by a person that occurs at an interface between a person and train (that is not a Category A notifiable occurrence), that does not result in a serious injury or fatality, including in the case of the following:</p> <ul style="list-style-type: none"> <li>(a) a fall by a person while boarding or alighting from a train;</li> <li>(b) a fall by person from a platform onto a track;</li> <li>(c) a fall by a person between a train and a platform.</li> </ul>



The Table below identifies the relevant organisation / person preferred to conduct the respective investigation dependent on the level determined:

OCCURRENCE SEVERITY LEVEL	OCCURRENCE TYPE DESCRIPTION	LEVEL OF INVESTIGATOR	INVESTIGATION TYPE	NOMINATED ENTITY
1	A major occurrence which attracts intense public interest. Typically a major accident involving extensive property damage or substantial numbers of casualties.	A highly experienced independent investigator with no links to any involved organisation.	ICAM Investigation	LORAC representative or appointed person
2	A major occurrence not likely to generate intense public interest, but which involves significant property damage or some casualties.	An investigator from within the industry but without direct links to the area involved in the occurrence.	ICAM Investigation	LORAC representative or appointed person
3	An occurrence involving appreciable property damage but with only minor injuries. It is notable for the fact that it had the potential to be much more serious, probably involving loss of life, had circumstances been only slightly different.	An investigator deemed to be a subject matter expert	ICAM Investigation	Rail Safety & Compliance Manager, or delegate
4	An occurrence of minor consequence with either no damage or only superficial damage or injury where there is little evidence that a more serious occurrence has been narrowly averted.	An investigator from the project who is conversant with the operations	Causation Investigation	Project HSE Manager

The Investigation Team Leader will liaise with the project teams in establishing the requirements around data collection and associated investigation procedures. The Investigation Team Leader will work closely with the Project Leader to manage the investigation process and associated outcomes.

Where required Notifiable Occurrences and Prescribed Incidents shall be investigated using an approved root cause analysis tool such as ICAM or TapRoot. Where Legal Professional Privilege is applied the report shall be prepared for review by the Legal Department and only released wider once permission has been granted by the Legal Department. All documentation is to be labeled in accordance with the instructions received from Legal once Legal Professional Privilege has been requested. The results of the investigation shall be recorded in IMPACT (except where Legal Professional Privilege applies).

### 5.1 INITIATE RESPONSE

Immediately after being made aware of a Notifiable Occurrence or Prescribed Incident the Project Leader is required to initiate the specific response that will include:

- Ensure the incident area is made safe and when a disruption to services may be incurred, advice to Network Control (or equivalent train controller) is required immediately
- Arrange for the attendance of emergency services or client resources as necessary



- Take steps to prevent escalation, including firefighting or recovery action if safe to do so and by preventing further entry to the incident location or removing energy sources
- Initiate site evacuation, in accordance with **E24 Emergency Management Plan**
- Remove people and property from harm, including rescue, if safe to do so
- Provide first aid to anyone injured
- Determine the type of incident, what and who is involved and advise senior management at the earliest opportunity.

## 5.2 RECORDING OF EVENTS AND INVESTIGATIONS

All incidents must be entered into IMPACT, Laing O'Rourke Online Incident Notification and Investigation Reporting Tool within 24 hours. This will ensure the relevant persons below are appropriately notified depending on the incident classification:

- Project Leader
- Rail Safety & Compliance Manager
- HSE Lead
- Director for Project Operations
- GM Operations, GM Select, GM Rail Operations
- General Manager HS/ES
- Head of Legal
- Hub Safety Board (DL-AusHubSafetyBoard@laingorourke.com.au)

## 6.0 EVENT INVESTIGATION

### 6.1 SCENE PRESERVATION

- The Project Leader shall ensure, that if there is no continued risk to health and safety or the operational railway:
- The scene is not disturbed until facts are established; and
- If the incident is notifiable to ONRSR, the scene is not disturbed until approval from the respective organisation (the ONRSR or RIM) has been given.

### 6.2 ARRANGE DRUG AND ALCOHOL TESTING

#### 6.2.1 FOR OPERATIONS IN NEW SOUTH WALES:

In terms of the railway operations carried out in NSW, if a rail safety worker is involved, or reasonably suspected of having been involved, in a prescribed incident while carrying out rail safety work in respect of the operators railway operations the operator must, unless there is a reasonable excuse for not doing so, require the worker to undergo drug and alcohol testing within 3 hours immediately after the incident.

A prescribed incident in New South Wales means any of the following that occur on railway premises:

- a collision between rolling stock
- a collision between rolling stock and a person
- a collision between rolling stock and a road vehicle or plant equipment
- the derailment of rolling stock
- a breach of the rail infrastructure managers network rules.



Laing O'Rourke must notify ONRSR of any of the following:

- an analysis of blood confirming the presence of a drug in the blood of a rail safety worker;
- an analysis of blood confirming that the prescribed concentration of alcohol is present in the rail safety worker's blood;
- an analysis of urine confirming the presence of a drug in the urine of a rail safety worker;
- a breath test indicating that the prescribed concentration of alcohol is present in a rail safety worker's breath or blood;
- a breath analysis confirming that the prescribed concentration of alcohol is present in a rail safety worker's breath or blood;
- any rail safety worker who, when required to do so under the drug and alcohol management program of the operator, fails to undergo a breath test, undergo a breath analysis, or provide a sample of blood or urine;
- any incident or suspected incident involving the interference or tampering with, or the destruction of, a sample of a person's blood or urine provided or taken under the drug and alcohol management program of the operator in contravention of that program; and
- any incident or suspected incident involving something being done in contravention of the drug and alcohol management program of the operator to introduce, or alter the concentration of, alcohol or any other drug in a rail safety worker's breath, blood or urine before the worker submitted to a breath analysis or provided a sample of blood or urine under that program.

### 6.3 INVESTIGATION TEAM

The appointed Investigation Team Leader shall consult with other project representatives, Select personnel, client representatives or 3rd party suppliers to enable an investigation team to be formed where it is deemed necessary that more than one person investigate the rail incident.

The investigator must be able to conduct the investigation in an autonomous manner without interference from other interested parties. The investigative team must have freedom to obtain evidence and to access site as often as necessary.

#### 6.3.1 PREPARE TERMS OF REFERENCE

The Lead Investigator will set terms of reference for the investigation.

The terms of reference will establish the scope of the investigation and prescribe what the investigator needs to consider and include in the Investigation report. The terms of reference will require that the investigation include the following:

- A description of the occurrence and any factors
- Risk identification prior to the incident
- Occurrence response
- What remediation that has been put in place
- Implications for other areas or organisations
- Conclusions
- Safety Actions
- Depths and breadth of investigation
- Report document control
- Any provision for joint investigation



## 6.4 WITNESS STATEMENTS

Individuals who may have been involved in the incident, other witnesses and other people who can provide input as to the cause of the incident should be interviewed separately.

A written record of the information supplied by the person should be made on **Witness Statement** and any anomalies should be discussed with the witness.

## 6.5 INVESTIGATION AND ANALYSIS

An incident investigation is to be completed for all Notifiable Occurrences. The results of the investigation shall be recorded on **Event Investigation** or a formal investigation Report. All incident investigations are to be recorded in IMPACT.

## 6.6 CAUSAL ANALYSIS AND INVESTIGATION FINDINGS

The purpose of the investigation to determine the cause and contributing factors and not to apportion blame.

Analysing the facts should always lead to two outputs:

- The immediate causes for the incident, and
- The root cause behind them.

Findings from the investigation such as corrective actions and/or recommendations are to be used by the project team to review all relevant risk assessments, work method statements, checklists, SMS System Requirement and Primary Standards for required changes/amendment.

Corrective actions should be developed to address each causal factor. The Project HS+E lead shall ensure all corrective actions and causal factors are logged in IMPACT.

The Rail Safety & Compliance Manager may initiate action on any of the findings from the investigation to ensure that corrective action initiated is conveyed to other projects involved in similar railway operations or to the wider rail industry where appropriate.

## 6.7 FOLLOW UP AND REVIEW

All investigations shall be reviewed and signed by the Project Leader. Each project shall monitor effective closure of corrective actions from incident investigations. Follow up verification of the corrective actions may be conducted to verify ongoing effectiveness.

## 7.0 REGULATIONS, GUIDES AND STANDARDS

### RAIL SAFETY LEGISLATION

- **South Australia**
  - Rail Safety National Law (SA) Act 2012
  - Rail Safety National Law National Regulations 2012
  - Rail Safety National Regulations Variation Regulations 2019
- **New South Wales**
  - Rail Safety (Adoption of National Law) Act 2012
  - Rail Safety National Law National Regulations 2012
  - Rail Safety (Adoption of National Law) Amendment (Drug Testing of Oral Fluid Samples) Regulation 2015
  - Rail Safety (Adoption of National Law) Regulation 2012
- **Northern Territory**
  - Rail Safety (National Uniform Legislation) Act 2012
  - Rail Safety National Law National Regulations 2012



- **Victoria**
  - Rail Safety National Law Application Act 2013
  - Rail Safety (Local Operations) Act 2006
  - Rail Safety National Law National Regulations 2012
- **Western Australia**
  - Rail Safety National Law (WA) Act 2015
  - Rail Safety National Law (WA) Regulations 2015
- **Queensland**
  - Rail Safety National Law (Queensland) Act 2017
  - Rail Safety National Law (Queensland) Regulation 2017

## 8.0 GUIDELINES AND STANDARDS

- ONRSR Guideline for the Preparation of a Safety Management System
- ONRSR Guideline Investigation Reports by Rail Transport Operators
- ONRSR Guideline Reporting Requirements for Notifiable Occurrences
- AS4292.7 Railway Safety Management, Railway Safety Investigation

## 9.0 FORMS AND TEMPLATES

- Checklist for Responding to a Notifiable Occurrence
- Event Notification Flowchart and Emergency Contacts
- Event Investigation
- Internal Event Notification
- Witness Statement
- ONRSR Notifiable Occurrence Notification form
- ONRSR (NSW) Drug and Alcohol Testing form