

Raison d'être of Keeper and Workshop Certification and the Keeper SMS

**Presentation
to
VAP Frühjahrstagung**

Zurich

15.05.2008

Safety

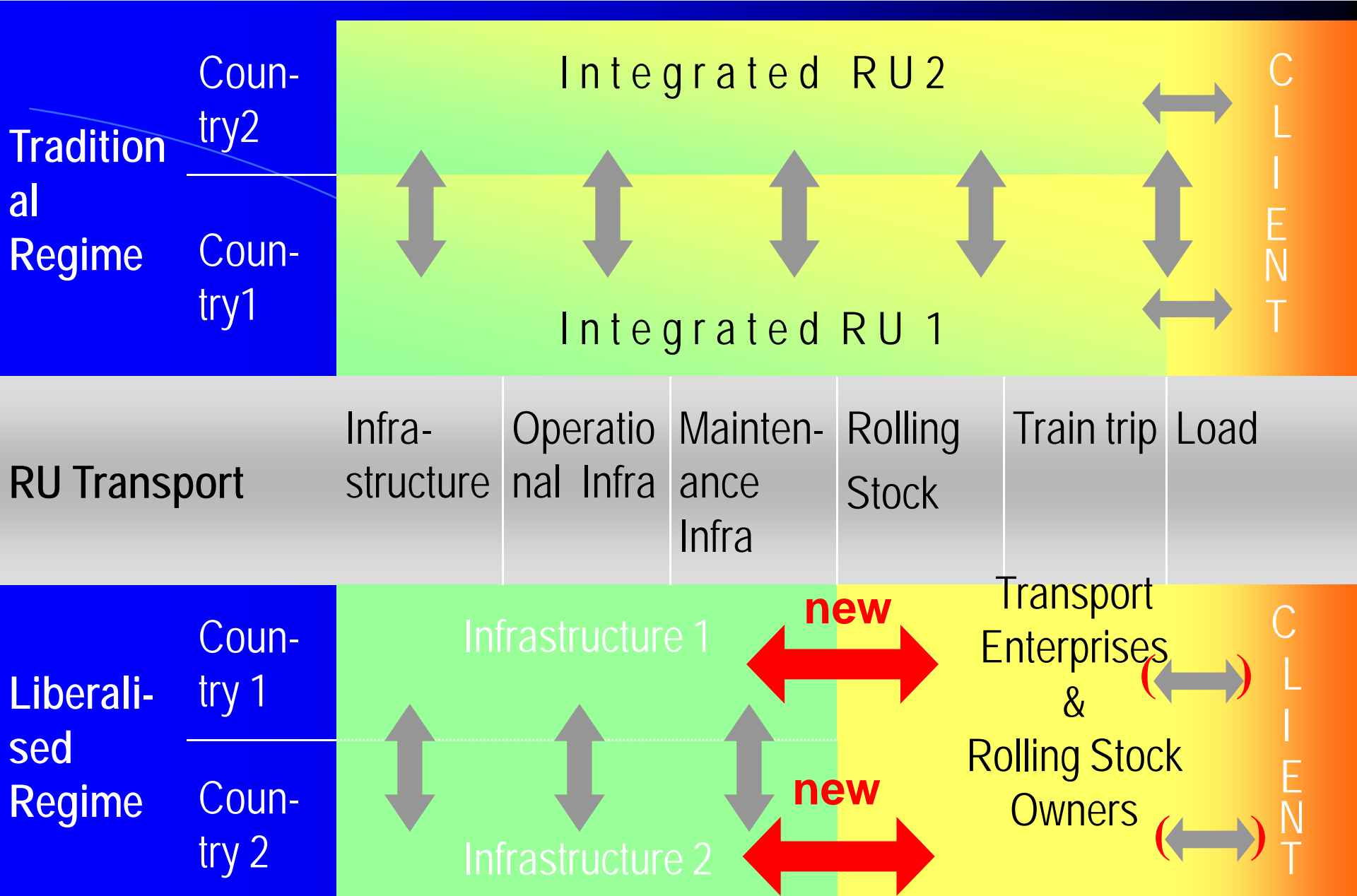
SAFETY IS NOT AN OPTION

However it needs to be:-

- Based on universal standard levels
- Taken responsibility for
- Transparent
- Auditable

Liberalised European Railways

New Interface for Safety required



What has Changed ?

- **Traditional Rail Regime**
 - Integrated RUs interfaced Integrated RUs
 - RUs Registered Private Wagons in their Fleets
 - RUs Supervised Wagon Maintenance and Workshops
 - Regulation through UIC 433, RIV and COTIF 1980
 - Mutual assurance
- **Liberalised Rail Regime**
 - RUs no longer integrated with Infrastructure
 - Independent Wagons independent of RUs
 - Wagon Maintenance and Workshops independent of RUs
 - New interface regulation - Interoperability and COTIF 1999
 - No Mutual assurance

Interoperability and COTIF 1999

- The Introduction of Interoperability and COTIF 1999 removed the RIV and UIC 433 Regulatory Framework and thereby also removed the mutual assurance concept.
- RUs no longer Register Independent Wagons in their Fleets nor Supervise Wagon Maintenance and Maintenance Workshops
- TSIs and their Requirements relate to New Wagons from 2006
- However Existing 'RIV' Wagons have Grandfather Rights for:-

**Continued Operation
and**

Maintenance to Existing 'RIV Standards' or the right to migrate to NSA/Notified Body Approved Maintenance Strategy and Maintenance Plans

The RU Interface

The Duty Holder RU has 5 possible roles simultaneously in wagon fleet management/operations. Namely:-

- (a). Keeper of its own wagons
- (b). Haulier of other RUs' wagons
- (c). Haulier of independent wagons in its fleet
- (d). Haulier of independent wagons in the fleet of other RUs
- (e). Haulier of independent wagons in no-one's fleet

The Keeper Responsibility

Under both COTIF 1999 and Interoperability There is no difference between an Independent Keeper and a Railway Undertaking (RU) Keeper in terms of responsibility for ensuring that a wagon is fit for service to the same quality and standards. Each must make available the same RST TSI Requisite Technical Data to the Duty Holder RU.

The Keeper is responsible for the fact that his vehicles are compliant with their maintenance plans, that, as per the GCU, only accredited workshops for his types of vehicle are used and that the mandatory maintenance details required by the TSIs in the Rolling Stock databases are updated in timely manner.

The Keeper Responsibility

Safety is a live issue, constantly under review, to ensure that all experience gained is used to improve safety performance in every area of the railway sector from design through to maintenance and operation.

The keeper therefore requires to have processes in place which enable him to achieve compliance and simultaneously be able to transparently demonstrate to interested parties his adherence to those processes.

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The RU Responsibility

For the interfaces (b) to (e) mentioned the Duty Holder RU has to ensure compliance with para 4.2.8.1.2. of the RST-TSI :-

“In the case of entities other than the Railway Undertaking using the Rolling Stock being responsible for the maintenance of the Rolling Stock used, the Railway Undertaking using the Rolling Stock must ascertain that all relevant maintenance processes are in place and are actually applied. This must also be suitably demonstrated within the Safety Management System of the Railway Undertaking.”

The RU Responsibility

The reality to meeting the foregoing responsibility is the fact that:-

- whilst each RU undertakes through its Safety Management System (SMS) to operate safely,
- freight vehicles have a nomadic lifestyle moving from RU to RU, either through choice of the Keeper/user seeking improvement in price and performance or through interchange of traction and rolling stock vehicles between RUs operating over the European Network and
- currently there is no harmonised maintenance in the EU or COTIF areas, since Keepers have only worked to previous State Railway requirements which vary from State to State.

The RU Responsibility

As stated, freight vehicles tend to have a nomadic lifestyle and therefore the second bullet point automatically invokes the scenario of:-

- the possibility of multiple conformity assessments by duty holder RUs, to**
- possibly different standards and varying in-service reference factors arising from the third bullet point.**

Such a process is costly, time consuming, essentially impossible to effect and adds the possibility of delays in moving from RU to RU. This factor alone defeats one of the main points of introducing Interoperability.

The RU Responsibility

This foregoing situation is clearly unacceptable for the third party Keepers (RU and non RU) and, indeed, for each Duty Holder RU which, on paper as per RST-TSI paragraph **4.2.8.1.2. Management of the Maintenance File**, is required to ascertain the processes of the third party RU and non RU Keepers in respect of their compliance to standards and maintenance procedures, **for vehicles which the Duty Holder RU might only see once or on rare occasions.**

What to do?

The foregoing described 'on paper concept' is patently impractical for day to day operations.

A robust solution, acceptable to all industry parties and NSAs which will restore the mutual assurance concept, is required.

The Solution

The auditing of IMs, RUs Constructors, Workshops, Component Suppliers, Keepers and Sidings Operators;

- **via an Audit Process standardised at NSA level throughout European States;**
- **using Notified Bodies/Auditors assessed at NSA level throughout European States to the same agreed Procedure/Standards to avoid dilution within the system;**
- **The audit process when conducted in accordance with an accepted standard audit protocol and using the audit protocol's techniques, will ensure that audit evidence and audit findings are relevant, reliable and sufficient, such that accredited audit teams working independently from one another will reach similar audit conclusions to achieve the concept of one audit by an approved competent authority being mutually accepted by all States, NSAs and industry partners.**

The Solution

The successful audited party is awarded an audit certificate mutually accepted throughout the European States.

Thus a user of the services offered knows that the level of safety and expertise are on a par throughout.

It is evident that not all RUs are/will be vehicle Keepers nor wish/be able to maintain engineering staff to cover that function but they still need to meet the requirements of para 4.2.8.1.2. in the RST-TSI.

Equally an IM may wish to be a keeper of vehicles in relation to his infrastructure maintenance and possibly run workshops to maintain them.

The Solution

The certification of the Keeper and Workshops would provide the mutual assurance required and enable such RUs to concentrate on the level one acceptance of vehicles.

However there needs to be a co-ordinated concept behind the certification process which is accepted universally in Europe.

The ERA Global Modular Certification concept provides the solution.

Global Modular Certification

The ERA Global Modular Certification concept enables each sector actor to deal only with his chosen base operations function module or extend into additional areas he may wish to encompass. e. g. be it an IM, RU, Keeper, having a maintenance workshop/facility, manufacturing parts etc.,

Each sector actor needs a Safety Management System (SMS) to demonstrate he adequately meets the provisions of the Safety Directive 2004/49 Annex III in respect of his activity or activities.

The transparency offered by a common format SMS and global modular certification system serves to support the mutual assurance concept.

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graph TD; A[RU-IM Main module] --- B[Wagon Keepers & Maintenance services Modules]; A --- C[Supply Industry Module]; A --- D[Auditing (Safety Management code of practices)];
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RU-IM Main module

Wagon Keepers &
Maintenance services
Modules

Supply Industry
Module

Auditing
(Safety Management
code of practices)

Example of a Keeper SMS

A common format developed for all Keepers (RU and non RU) which supports both the ongoing use of current maintenance criteria for existing vehicles and the maintenance regime for new TSI vehicles

The format shall encompass a Keeper having a :-

Written Maintenance Policy,

Maintenance Plan for each type of vehicle, listing actions to be undertaken at required periods and

Safety Performance Monitoring System (SPM) which enables the Keeper to effect the required constant or routine monitoring, adjustment and maintenance as called for in Directive 2001/16/EU Article 18. point 3.

The Way Forward

Operations and safety are not limited to the EU boundaries due to the nature of the business community's use and expectation of the railway system.

To be effective, the safety and mutual assurance concept must involve all Europe in order to achieve a common safety method platform for RUs to meet their duty holder obligations.

In consequence the framework to be laid down by ERA should then be developed through the CEN process, which would allow non EU States to utilise those resulting Euronorms in their legislation and by applying the Safety Management System will also provide the basis for demonstrating the keeper's fulfilment of COTIF 1999 ATMF Article 15. concerning maintenance.

In Summary

- **SMS concepts developed for each module**
- **The stakeholder develops auditable methods to demonstrate clearly how he achieves the requirements of Annex III of the Safety Directive for his chosen module(s).**
- **Audit effected throughout the EU and OTIF Member States is to the same standard and control to enable the concept of one audit acceptable to all.**
- **Accredited Auditors and their area(s) of competence assessed by NSAs to a common standard.**
- **Successful Auditee receives a certificate mutually accepted in all participating States.**
- **Mutual Assurance of the old 'RIV system' restored but to a higher and actually transparent level.**