

Trade Union Participation in Network Rail led investigations

Scope of participation

This document provides guidance on when Trade Union Health and Safety Reps should be invited to participate in a Network Rail led investigation and details of the trades union nominated contacts for arranging this participation. Initial contact for arranging participation should be through the contacts identified in this document and not with the local reps.

It is normally the Lead Investigator's responsibility to arrange Trade Union participation in the investigation and this should be done as soon as the remit is received for local (level 2) and formal (level 3) investigations and should be invited to all of the investigation team meetings, not just staff interviews. Trade Union participation is not normally required during the preliminary (level 1) investigation unless the investigation is into an alleged breach of a lifesaving rule.

The Trade Union health and safety reps are participating in the investigation to bring their expertise and perspective to help improve safety on the railway and help make sure the process of investigation is fair and transparent; they are not participating to represent staff.

Within the industry investigation process the Trade Union H&S Reps participate as an observer as they are not required to sign or formally agreeing the report.

Criteria for participation

A trade union health and safety representative should be invited to participate in the investigation team for the following local (level 2) and formal (level 3) investigations:

- Where the investigation team intend to interview staff (they should invite the TU(s) appropriate to the grades involved and regardless of interviewee TU membership);
- An investigation that includes a potential breach of a lifesaving rule (also need to invite a TU H&S Rep where this is investigated at level 1);
- A fatal or life changing injury to a member of the workforce employed by or contracted to Network Rail whilst at work/on duty;
- A fatality to any person in a train accident (excl. suspected suicide or trespass);
- A collision between trains on a running line where there is injury to at least one person or significant damage;
- The derailment of an 'in service' passenger train, where the derailment occurs above 20mph;
- Other accidents or incidents where Network Rail and a trade union agree that the participation of a TU observer would be beneficial.

Where details of an investigation are provided by telephone to a trade union contact, the details should be confirmed by e-mail where possible.

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RMT (National Union of Rail Maritime & Transport Workers)

| Name | Phone No. | E-mail address |
|---|---------------|--|
| Chris Adair LNW and Scotland | 07802 890 302 | chris.adair@networkrail.co.uk |
| Alan Clews Anglia and Kent (Maintenance) | 07968 865 481 | alan.clews@networkrail.co.uk |
| Carlo Pezzulo LNE | 07917 268 101 | carlo.pezzulo@networkrail.co.uk |
| Steve Swift LNW and Scotland | 07720 957 258 | steven.swift2@networkrail.co.uk |
| Julian Thomas Wales and West | 07515 627 096 | julian.thomas@networkrail.co.uk |
| AJ Yates Kent (Ops) Sussex, Wessex | 07960 962 285 | adrian.yates@networkrail.co.uk |

TSSA (Transport Salaried Staffs Association)

| Name | Phone No. | E-mail address |
|--|---------------|--|
| Des More London North East, East Midlands and Scotland routes | 07825 258 572 | derek.more@networkrail.co.uk |
| Ian Henry Kent & Continental, Sussex, Wessex and Anglia routes | 07713 300 947 | ian.henry@networkrail.co.uk |
| John Kelly London North West, Western and Wales routes | 07739 531 389 | john.kelly@networkrail.co.uk |

UNITE

| Name | Phone No. | E-mail address |
|---------------|---------------|--|
| John Sessions | 07739 869 709 | john.sessions@networkrail.co.uk |

ASLEF (Associated Society of Locomotive Engineers & Firemen)

Where a train driver is being interviewed by the investigation team it is normal for the Train or Freight Operating Company to arrange any trade union participation.