

**RAILWAY SAFETY**

Working for a safer railway

**PROMAIN**

**Contribution From Railway Safety**

**December 2002**

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**SUBJECT:** Contribution From Railway Safety  
**AUTHOR:** M Thomas  
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## 1. OBJECTIVE

- 1.1 From the PROMAIN contract, annex E, the objectives of this report are understood as:
- a. Provide contact with Notified Bodies in the United Kingdom<sup>1</sup>.
  - b. Suggest a means of working with and between them.
  - c. Describe contacts between Notified Bodies and expert organisations.
- 1.2 This report provides a description of the arrangements in place in the United Kingdom to manage Notified Bodies. The report addresses the regulations in place, their appointment and coordination. Interfaces with the EU level are mentioned.

## 2. UNITED KINGDOM (Interoperability) (Highspeed) Regulations 2002

- 2.1 The principal provisions of these regulations are:
- a. In Great Britain (that is England, Wales and Scotland) the Strategic Rail Authority (SRA) appoints persons it judges fit to be Notified Bodies. In Northern Ireland it is the Department for Regional Development that discharges this function and the other responsibilities that are described below.
  - b. The conditions of appointment are the responsibility of the SRA. The SRA has the power to terminate such appointments and must direct the arrangements that will assure the continuity of the work and responsibilities that were in hand.
  - c. The SRA is authorised to inform the Article 21 committee if a Notified Body appointed by another Member State fails to meet the criteria set out in Directive 96/48/ec.
  - d. Except for certain specific conditions, a Notified Body has to discharge its duties when requested. Such an exception, for example, is when it seems that a project may not start for the three months following the request. The regulations in clause

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<sup>1</sup> At the date of this report, contact between Notified Bodies in the United Kingdom is managed at meetings held by RIA (Railway Industry Association) and ATOC (the association of Train Operating Companies).

9(4), grant to a Notified Body the right to charge for the work estimated 3 months ahead.

- e. When advised that refusal of a certificate of conformity (etc) is being considered; the applicant has 28 days in which to make representations to the Notified Body to defend the application.
- f. The Regulations place a duty on all Notified Bodies to consult other such bodies appointed within the European Community for the purpose of highspeed railway interoperability. Such consultation is to ensure that the assessment procedures are consistently applied with the Community. It is the intention to achieve this obligation by means of representatives attending the European Notified Body coordination meetings in Brussels.

2.2 The intention of the regulations is to apply the TSIs to and require Notified Bodies for the United Kingdom element of the trans-European highspeed rail system as defined in Schedule 8, and all that rolling stock which runs on these lines. This goes beyond the scope of Directive 96/48/EC Regulation 13 paragraph (5) may provide a means to obtain exemption for trains where there are technical incompatibilities between the TSIs and the national network. Regulation 15 applies the derogation procedure required by the Directive. Where a national standard has been notified, and the subject is not addressed by means of TSIs, the Notified Body shall also address compliance with this standard when preparing a Declaration of Verification.

2.3 The consequence of regulation 13 paragraph (5) and regulation 13 paragraph (7) is to allow an interpretation of the essential requirements other than contained in the TSIs. The essential requirements have to be met even if derogation is in force.

2.4 Sub-systems have to:

- a. Meet the essential requirements, and
- b. Meet the TSIs where these apply, and
- c. Meet all other notified national standards<sup>2</sup> that cover matters excluded from the TSIs.

2.5.1 The Health and Safety Executive (HSE).have the responsibility to judge whether a project qualifies as upgrading and that therefore a Notified Body is required. A request to complete such projects in stages can be made to the HSE. This is more likely to be applied to infrastructure than Rolling stock.

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<sup>2</sup> National standards that are notified are published in the OJEC.

- 2.6 The Contracting Entity can also opt to deal with safety approval of elements of projects not following within the scope of the directive where this provides efficiencies.

### **3. NOTIFIED BODY GUIDELINES**

- 3.1 The SRA has written guidelines for organisations seeking appointment as a Notified Body. Assessment of Notified Bodies is intended to be undertaken by the United Kingdom Accreditation Service (UKAS). The Guidelines contain the criteria that are to be used for appointment as a Notified Body.
- 3.2 In summary, the criteria are:
- a. A definition of the scope of the appointment. The scope is defined by reference to the constituents, subsystem parameters and interfaces, and conformity assessment modules defined in the TSIs.
  - b. Competence in assessing compliance with national standards, and in some cases a manufacturer's technical specification is expected to be the basis of meeting the essential requirements of the Directive.
  - c. Capability to work within the geographic area of the EC.
  - d. The viability of a Notified Body is to be assessed by reference to its organisational competence, and consideration of legal matters, insurance arrangements, creditworthiness, and business stability.
  - e. Insurance cover for Professional Indemnity and Public Liability is required.
  - f. The Notified Body shall maintain evidence of Independence and Impartiality.
  - g. It is policy to apply the EN45000 series.
  - h. Great emphasis is placed on evidence of team competence and the competence of the personnel available to the Notified Body.
  - i. The SRA set minimum requirements for a quality system.
  - j. The SRA intend to have applied IEC 15288 as the basis of the processes to verify sub-system behaviour.
  - k. The Notified Bodies will be audited annually.

- I. Notified Bodies will be re-assessed every 4 years.

#### **4. NOTIFIED BODIES APPOINTED AS AT 24 APRIL 2002**

Annex A lists the notified bodies appointed in the United Kingdom as at 24 April 2002.

### **5. COORDINATION BETWEEN NOTIFIED BODIES**

#### **5.1 The need for consistency**

The reputation of the concept of notified bodies will depend in large measure on the equivalence, professionally and technically, that can be achieved between their work. Coordination between Notified Bodies should have the following objectives:

1. Assuring consistency of competence,
2. Assuring consistency of quality in achieving their requirements,
3. Achieving a common interpretation of the standards against which their work judges the constituents and sub-systems submitted for verification.

#### **5.2 Consistency Of Competence**

The competence of a Notified Body will be judged firstly by the impressions gained from the status and accomplishments of its personnel, and secondly by the performance in service of the equipment that has been granted a certificate. It is recommended that:

- a. The Notified Bodies agree on a set of criteria against which the overall expertise and competence of their staff can be judged.
- b. That over the system life, the owner of the sub-system maintains records of the performance of equipment in service. Hence, should inferior performance and problems occur, the verification requirements can be reviewed and corrective action can be taken as required.

#### **5.3 Consistency Of Quality**

5.3.1 The Directives leave some discretion regarding the requirements for quality and the modules to be used for verification activity. However, without the support of a well organised company, even the most competent person is set at a disadvantage. It is recommended that the Notified Bodies find a level of agreement on the criteria to be applied to:

- a. Documenting and checking test results. For this purpose, the content of the technical file is being agreed at the Notified Body meetings held at RIA and ATOC.
- b. The way approvals in their internal procedures are manifested and recorded, Subcontracting, and
- c. Their internal procedures. In the United Kingdom, the UKAS is providing guidance on this matter.

5.3.2 It is also important that the internal organisation and responsibilities of each are clearly recorded and placed in the public domain.

## **5.4 Common Interpretation Of The Standards**

5.4.1 This is a very difficult subject. Certainly at the level of national standards, it will be hard to find a common interpretation outside of the nationally appointed Notified Bodies. In the United Kingdom, the UKAS is the assessment agency to be used to judge the competence of a Notified Body in the national domain. However the reputation of the concept of notified bodies will depend in large measure on the technical equivalence that can be achieved between their work on interoperable equipment and systems.

5.4.2 The usual way in which European standards have obtained adequate equivalence between competing products is to set out the performance requirements and then mandate a common testing process to demonstrate that these requirements have been met. Although there is more proscription as regards design in the railway sector, this principle is equally valid.

5.4.3 It is most important that the Notified Bodies are instrumental in putting in place common test requirements to support the TSIs. Ideally they should agree as one in collaboration with the railways and industry the test processes and procedures to be put in place. This would be supported by statements of the checks and verifications to be made on data, dimensions etc. It would probably be impractical to have different Notified Bodies applying different test procedures and arrangements because the demonstration of equivalence would become an unacceptable overhead.

5.4.4 It is therefore recommended that the Notified Bodies ensure that common test procedures are created for interoperable equipment and systems, and published in a domain that is acceptable to the railway industry as a whole. Some work is being undertaken in this domain, through co-ordination of the UK Notified Bodies at national level in the UK and at EU level through the Notified Body Co-ordination activity 'NB Rail' supported by the EC.

## 6. RECOMMENDATIONS

1.
  - a. That Notified Bodies agree on a set of criteria against which the overall expertise and competence of their staff can be judged. In the United Kingdom, the UKAS and SRA are developing this theme.
  - b. That records of the performance of equipment in service are maintained so that where inferior performance and problems can be considered to have been overlooked in the verification process corrective action can be taken.
2. That Notified Bodies find a level of agreement on the criteria to be applied to:
  - a. Documenting and checking test results,
  - b. The way approvals in their internal procedures are manifested and recorded,
  - c. Subcontracting, and
  - d. Their internal procedures. In the United Kingdom, the UKAS is providing guidance on this matter.
3. That Notified Bodies ensure that common test procedures are created for interoperable equipment and systems, and that these are published in a domain that is acceptable to the railway industry as a whole.
4. That the internal organisation and responsibilities of each Notified Body are recorded and placed in the public domain.

## ANNEX A

### Notified Bodies Appointed as at 24 April 2002

<b>AEA Technology Rail UK Notified Body</b>	<b>ID Number: 1127</b>
Contact: Bob Crockford, NB Manager	
Address: Central House, Upper Woburn Place, London WC1H 0JN	
Telephone: 7904 3597 / Fax 3652	
Email: <a href="mailto:robert.i.crockford@aeat.co.uk">robert.i.crockford@aeat.co.uk</a>	
Scope: all six TSI's	
<b>Aspect Assessment Limited</b>	<b>ID Number: awaiting</b>
Contact: Keith Williams, Director	
Address: 2 <sup>nd</sup> Floor, Kingston House, Pierrepont Street, Bath BA1 1LA	
Telephone: 01225 787 888 / Fax 787 880	
Email: <a href="mailto:keith.Williams@aspectassessment.com">keith.Williams@aspectassessment.com</a>	
Scope: Control-command and signalling TSI	
<b>Bombardier Transportation Notified Body</b>	<b>ID Number: awaiting</b>
Contact: Allan Sutton, Technical Manager	
Address: Bombardier Transportation UK Ltd, Litchurch Lane, Derby DE24 8AD	
Telephone: 01332 344 666 / Fax 266 289	
Email: <a href="mailto:allan.sutton@uk.transport.bombardier.com">allan.sutton@uk.transport.bombardier.com</a>	
Scope: Rolling stock TSI	
<b>Correl Rail Limited</b>	<b>ID Number: 1144</b>
Contact: Nigel Bean, Managing Director	
Address: P O Box 9587, Birmingham W Midlands B8 2PZ	
Telephone: 0121 695 3440 / Fax 3375	
Email: <a href="mailto:nigel.bean@correl-rail.co.uk">nigel.bean@correl-rail.co.uk</a>	
Scope: Rolling stock TSI	
<b>EWS Engineering Support</b>	<b>ID Number: 1125</b>
Contact: Dev Anand, Engineering Support Manager	
Address: Toton TMD, Toton Sidings, Long Eaton, Nottingham NG10 1HA	
Telephone: 01332 265 166 / Fax 265 230	
Email: <a href="mailto:badlev.anand@ews-railway.co.uk">badlev.anand@ews-railway.co.uk</a>	
Scope: Rolling stock TSI	

**Interfleet Notified Body****ID Number: 1133**

Contact: John Fysh, Principal Engineer  
Address: Interfleet House, Pride Parkway,  
Derby DE24 8HX  
Telephone: 01332 223 283 / Fax 223 131  
Email: [fysh.j@interfleet.co.uk](mailto:fysh.j@interfleet.co.uk)  
Scope: Rolling stock and maintenance TSI's

**Lloyd's Register****ID Number:**

Contact: Simon Emeny, Manager, Statutory  
Services  
Address: Hiramford, Middlemarch Office Village,  
Siskin Drive, Coventry CV3 4FJ  
Telephone: 02476 518 616 / Fax 305 854  
Email: [simon.emeny@lr.org](mailto:simon.emeny@lr.org)  
Scope: all six TSI's

**Mott MacDonald Railway Approvals****ID Number: 1124**

Contact: John Hughes, Divisional Director  
(Transportation)  
Address: St Anne House, Wellesley Road,  
Croydon CR9 2UL  
Telephone: 8774 2000 / Fax 8681 5706  
Email: [rw3@mm-croy.mottmac.com](mailto:rw3@mm-croy.mottmac.com)  
Scope: All six TSI's

**RailConform****ID Number:  
awaiting**

Contact: Mike North, Chief Executive  
Address: Railway Safety, Evergreen House, 160  
Euston Road, London NW1 2DX  
Telephone: 7904 7712 / Fax 7557 9015  
Email: [northm.railwaysafety@ems.rail.co.uk](mailto:northm.railwaysafety@ems.rail.co.uk)  
Scope: All six TSI's

**TEL Notified Body****ID Number: 1126**

Contact: John Barber, Standards Manager  
Address: The Engineering Link, Trent House, rtc  
Business Park, London Road, Derby DE24  
8UP  
Telephone: 01332 263 371 / Fax 262 104  
Email: [john.barber@the-engineering-link.co.uk](mailto:john.barber@the-engineering-link.co.uk)  
Scope: Rolling stock and maintenance TSI's

**WS Atkins Rail Limited****ID Number: 1143**

Contact: Steve Rice  
Address: Brunel House, rtc Business Park, London  
Road,  
Derby DE1 2WS  
Telephone: 01332 225 559 / Fax 225 638  
Email: [steve.rice@wsatkins.com](mailto:steve.rice@wsatkins.com)  
Scope: Rolling stock TSI's