

TAIC open recommendations

Half-yearly report

For the six months ended 30 June 2018

Summary

Purpose

This report updates you on the status of open recommendations that the Transport Accident Investigation Commission (TAIC) has issued across the aviation, rail, and maritime transport modes.

Contents

The information and data in the report focus mainly on the recommendations issued to the modal regulators, who are reporting progress against implementation as a matter of good practice. The Commission has no mandate to compel recipients of its recommendations to provide such information.

TAIC has compiled the report using information and data supplied by the Civil Aviation Authority (CAA), Maritime New Zealand (MNZ), and those in the rail sector with assigned recommendations – New Zealand Transport Agency (NZTA), KiwiRail, the Ministry of Transport (MoT) and the National Rail System Standards Executive (NRSS-E).

Numbers of open recommendations issued to the Ministry of Transport (MoT), State Owned Enterprises (SOEs), other government organisations (such as local government), and non-government organisations are also shown in each sector report.

Explanatory notes

Explanatory notes are on the back page.

Summary data

The table below shows summary data for the open safety recommendations TAIC has issued to the CAA, MNZ and the Rail Sector.

Key points:

- The time needed to implement a safety recommendation can vary considerably. Some recommendations are aimed at modifying behaviour or processes across complex systems. That may take several years to achieve, especially if changes to legislation are required.
- In the rail sector, the NZTA and TAIC have a well-established process for monitoring safety recommendations. The CAA and MNZ continue to work with TAIC to establish similar arrangements, and to close 'historic' recommendations.

		Recommendations issued & closed 1-Jan-18 to 30-Jun-18			Number open as at 30-Jun-18	Estimated time to closure			
		Issued	Closed	Closed YTD		Within 12 months	1 to 5 years	More than 5 years	Not accepted/no further action
CAA		1	13	22	52	54%	31%		15%
MNZ		4	1	4	48	17%	83%		0
Rail	NZTA				16	44%	44%	12%	0
	KiwiRail	2	3	5	9	22%	67%	11%	0
	MoT				1		100%		0
	NRSS-E				1		100%		0

Air open TAIC safety recommendations as at 30 June 2018

Summary of open recommendations

The table shows the numbers of open recommendations by recipient in the aviation sector. The numbers for government organisations are also shown by areas of activity.

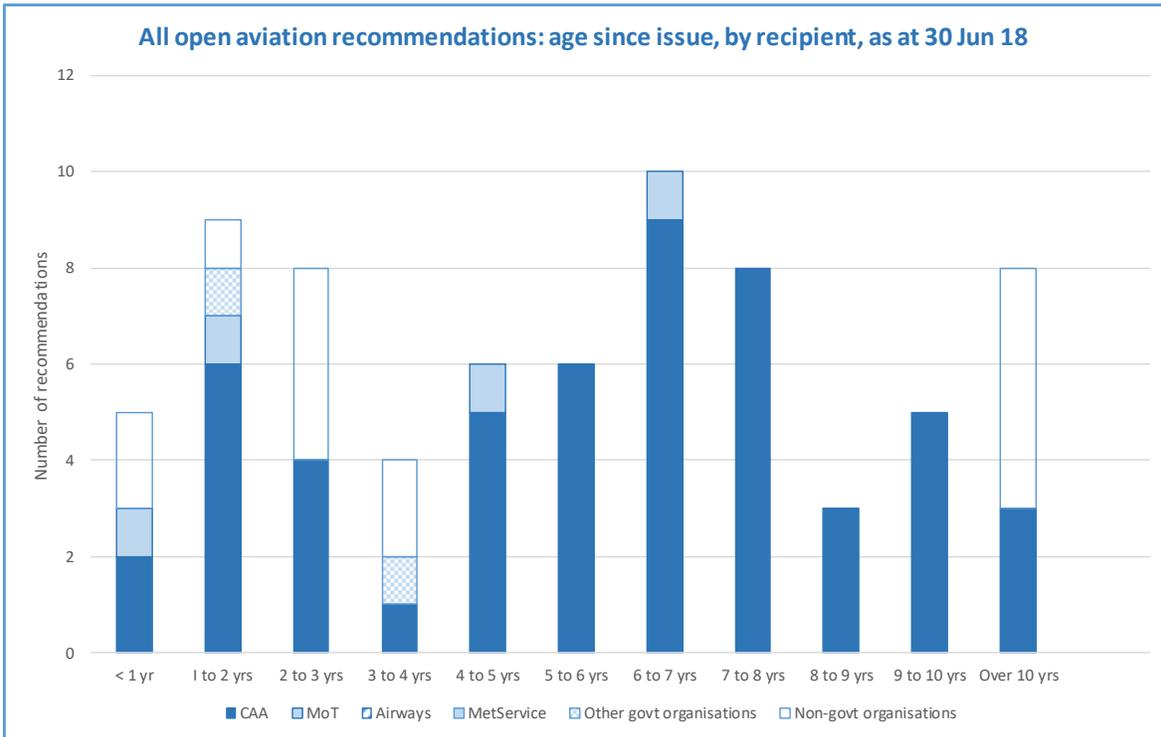
Number of open recommendations	Issued to government organisations Regulator/MoT/SOEs/other							Issued to non-government organisations	
	Total	CAA	MoT	Airways	MetService	Other govt org	Est. closure within 12 months (CAA)	Not accepted (CAA)	Total
Total	58	52	4	Nil	Nil	2	28	7	14
Operations		6					2	1	
Airworthiness		8					1	3	
Aerodromes									
Air Traffic Control									
Licensing		9					4	3	
Historic recs to submit for closure		29					21		

Status for CAA recommendations

Following on from the previous report, 31 December 2017, the CAA and the Commission continue to progress the work required to close current and historical recommendations. Of the historical recommendations seven have been closed and five of the more recent recommendations have been closed. The Authority continues to actively pursue initiatives and advises the Commission of its actions in order to close the Commission's recommendations.

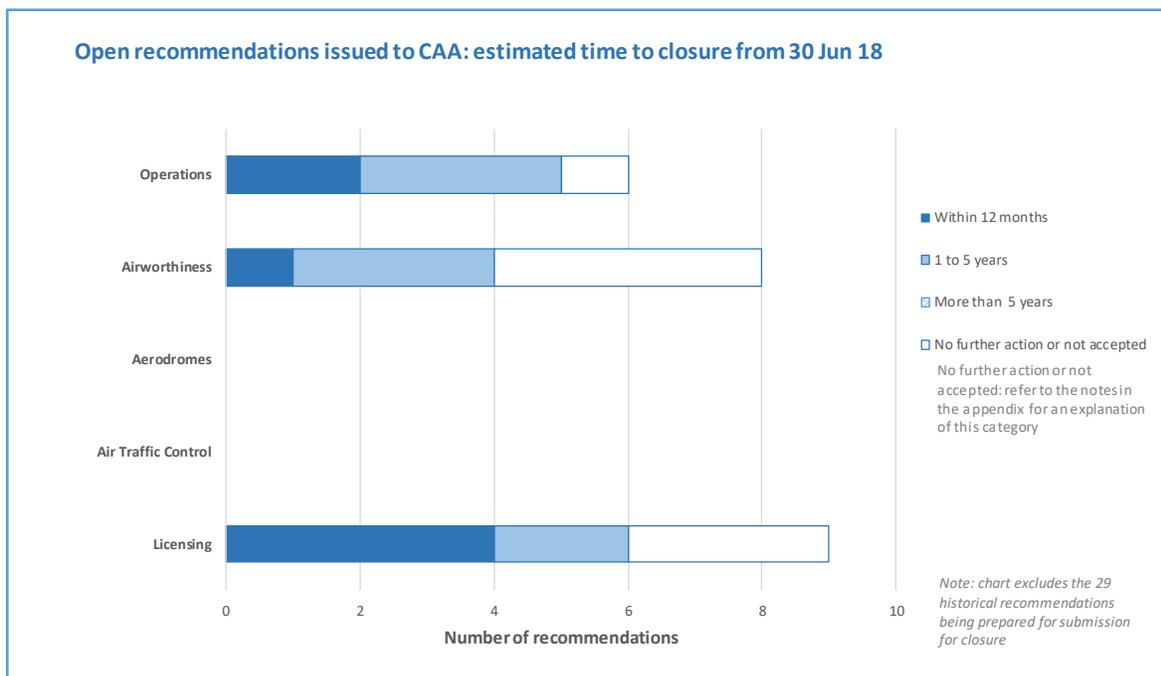
Age of open recommendations

The graph below shows the age of all open recommendations by recipient in the aviation sector.



Estimated time to closure for recommendations issued to CAA

The graph below shows the estimated time to closure for the recommendations issued to CAA.



Rail open TAIC safety recommendations as at 30 June 2018

Summary of open recommendations

The table shows the numbers of open recommendations by recipient in the rail sector.

Number of open recommendations	Issued to government organisations										Issued to non-government organisations
	Regulator/MoT/SOEs/other										
	Total	NZTA	KiwiRail	MoT	NRSS-E	Est. closure within 12 months (NZTA)	Est. closure within 12 months (KiwiRail)	Est. closure within 12 months (MoT)	Est. closure within 12 months (NRSS-E)	Not accepted	
Total	27	16	9	1	1					Nil	Nil
Level crossings	6	6				3					
Impairment: drugs/alcohol/health/fatigue	3		2	1							
National Rail Systems Standards	5	4			1						
Fire protection	3	3				2					
Training/change mgmt.	5	1	4				1				
Maintenance system deficiency	2	1	1			1	1				
Low adhesion	1	1				1					
Signaling safety	2		2								

Status of recommendations assigned to the NZ Transport Agency

National Rail System Standards (NRSS): The Transport Agency is in the process of establishing a new, collaborative National Rail Industry Action Forum (NRIAF), to be chaired by the Transport Agency. The NRIAF will meet regularly to discuss and address industry-wide issues and opportunities; this will include the open TAIC recommendations.

Level crossings: Two of the six open level crossing recommendations will be submitted to TAIC for closure in August 2018. Regarding the remaining open recommendations: there is a programme underway in Auckland to address identified pedestrian level crossing safety risks - so far 19 crossings have had automatic gates installed, and 3 crossings have been closed. In Wellington there is work underway to set up a Wellington Level Crossing working group to discuss and plan mitigations for local safety issues (rec 013/15). Work is ongoing on improvements to the level crossings affected by short stacking issues (rec 031/11) with funding secured for improvements to approximately 14 of these crossings. A project to review safety cases and safety systems to ensure they expressly articulate responsibility for pedestrians between railway stations and the rail corridor will be completed in 18/19 (rec 12/15).

Fire protection: The Transport Agency's rail licensee assessment processes have been updated in order to more explicitly assess fire risks. Two of the three open fire protection recommendations will be submitted to TAIC for closure in Q1 18/19; the remaining one is on track to be fully addressed by the end of Q2 19/20.

Low Adhesion: The one recommendation related to low adhesion management systems was submitted to TAIC for closure at the end of Q4 17/18.

Status of recommendations assigned to KiwiRail

Maintenance System Safety Improvements: The required maintenance system improvements have already been completed for metro commuter passenger rail services, which covers the major risk group. Work continues to complete similar maintenance improvements for freight and other passenger rail services.

Medical information for safety critical roles: Legislation changes are required to allow the disclosure of personal medical record information to ensure the safe management of personnel in safety critical roles. The Ministry of Transport has been approached to assist.

Safety Management: Improvements to the Safety Management System include the development of an integrated enterprise-wide Safety, Health and Environment Management System. This will provide better change and risk management processes within the business.

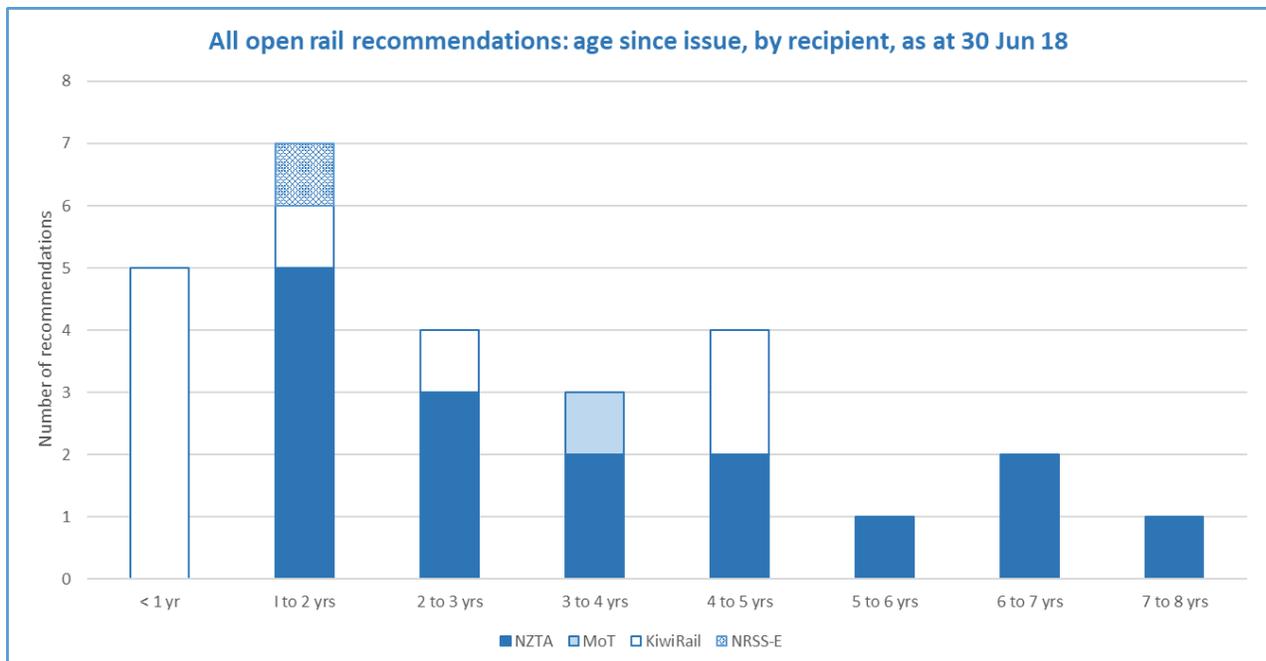
Training and competency: A number of changes have been identified for improving the training and competency of staff in order to manage risk more effectively within the business, and work in several areas is progressing towards implementing the changes completing this.

Status of the recommendation assigned to the Ministry of Transport

Impairment - health: The Ministry intended to engage with KiwiRail and the Transport Agency on this recommendation in February 2018. Due to other work programme commitments, engagement with KiwiRail and the Transport Agency, and advice to the Minister of Transport on this recommendation has been deferred to 2019/20. The time required to address the recommendation will be dependent on whether legislative changes are required to allow the disclosure of personal medical record information.

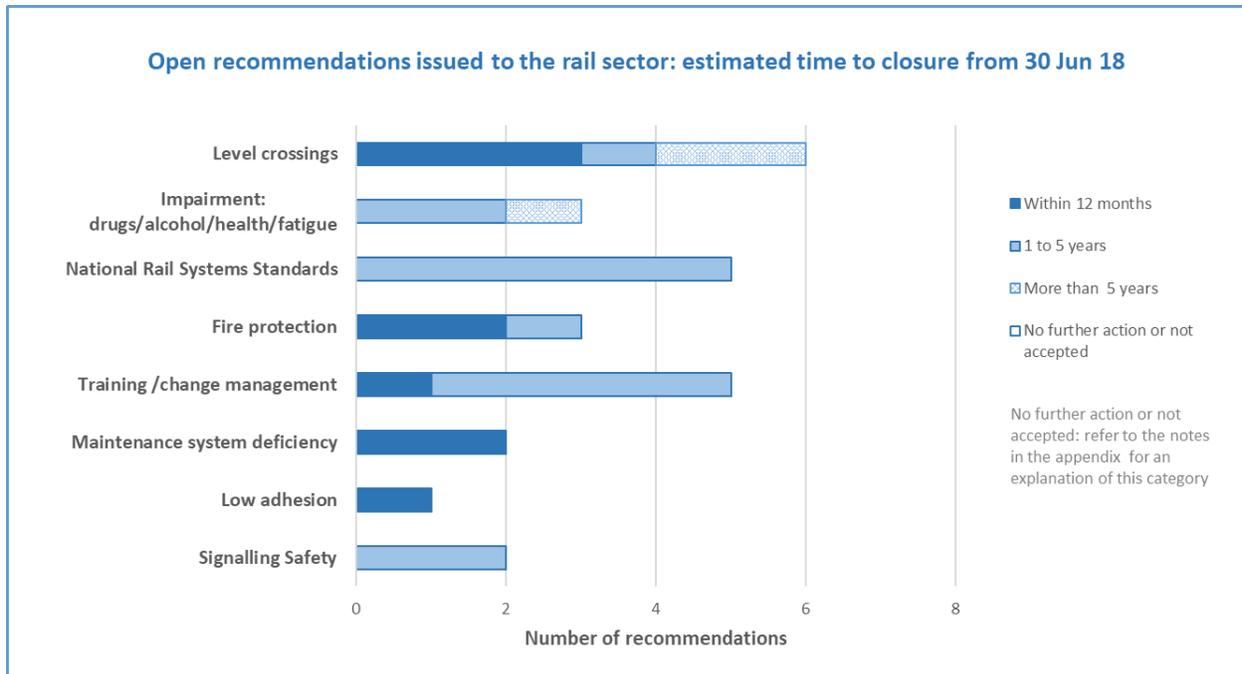
Age of open recommendations

The graph below shows the age of all open recommendations by recipient in the rail sector.



Estimated time to closure for recommendations

The graph below shows the estimated time to closure for the recommendations issued to the rail sector (NZ Transport Agency, KiwiRail, the Ministry of Transport and the National Rail System Standards Executive).



Maritime open TAIC safety recommendations as at 30 June 2018

Summary of open recommendations

The table shows the numbers of open recommendations by recipient in the maritime sector. The numbers for government organisations are also shown by areas of activity.

Number of open recommendations	Issued to government organisations Regulator/MoT/SOEs/other								Issued to non-government organisations
	Total	MNZ	MoT	KiwiRail	MetService	Other govt org	Est. closure within 12 months (MNZ)	Not accepted (MNZ)	Total
Total	73	48	3	2	Nil	20	8	NIL	27
Training or Education		15					3		
Safe Ship Management		2							
Maritime Rules		12					2		
Safety Management Systems		4					1		
Administrative		6							
Aids to Navigation		4							
Compliance		5					2		

Status for MNZ recommendations

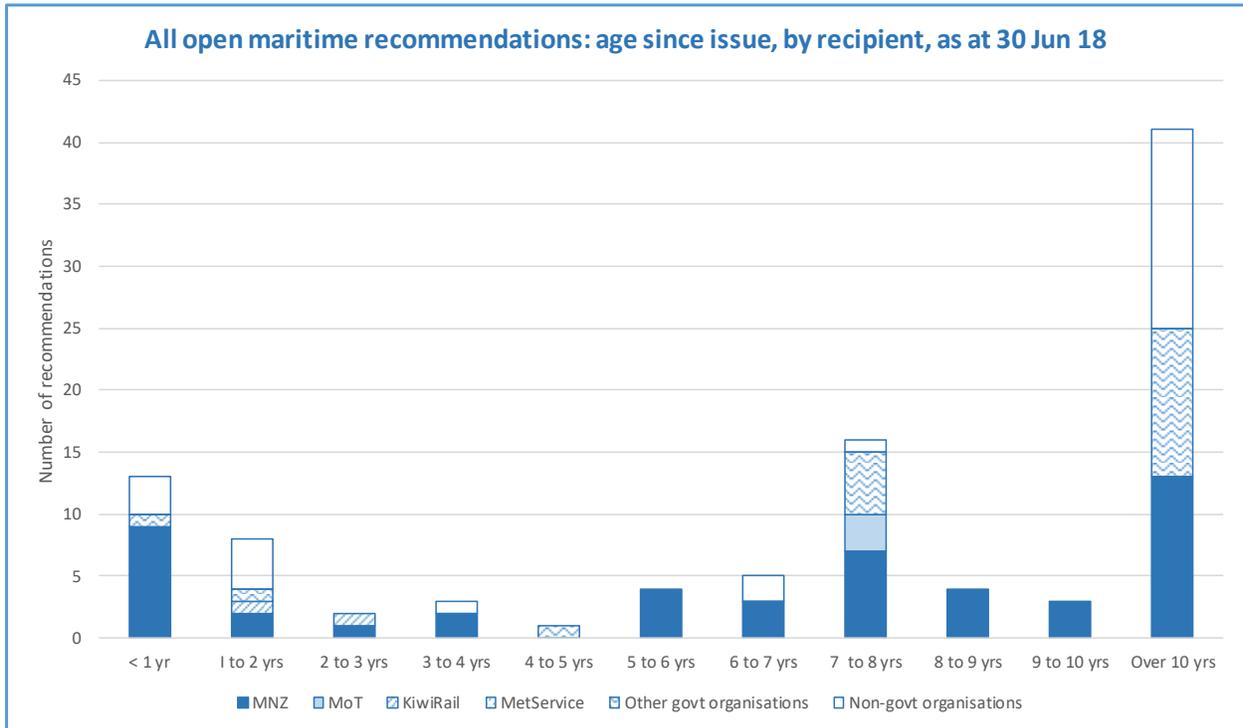
As at 30 June 2018, 48 TAIC recommendations issued to MNZ and three to MoT were open.

Maritime NZ closed one recommendation on 21/06/2018 (rec 014/17) and four new recommendations have been issued (012/18, 013/18, 014/18 and 015/18).

Due to resource pressures over the past 6 months, Maritime New Zealand has been unable to complete further work into the remaining recommendations. The management and oversight of these recommendations will be moving to the Regulatory Systems Design Group with effect from the 17th of September 2018 to bring a greater level of co-ordination and consistency to our approach.

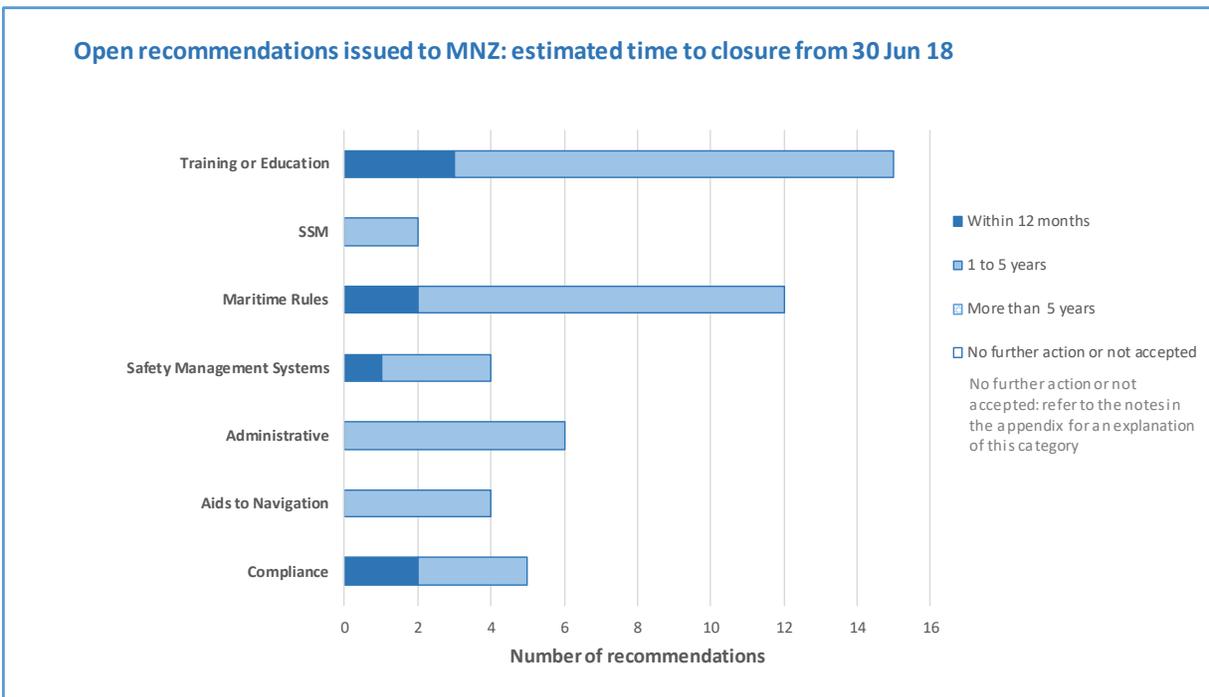
Age of open recommendations

The graph below shows the age of all open recommendations by recipient in the maritime sector.



Estimated time to closure for recommendations issued to MNZ

The graph below shows the estimated time to closure for the recommendations issued to MNZ.



Appendix: explanatory notes

Definitions

Government organisation	For the purposes of this report, a government organisation is a New Zealand regulator, SOE, or a commercial enterprise with more than 50% government ownership.
Not accepted	The recipient has not accepted the safety recommendation. For example, it might consider the recommendation is not relevant or not applicable. The Commission classifies such recommendations as 'open' or 'open, no acceptable action'.
No further action	The recipient has accepted the recommendation, and considers it has taken sufficient action to meet the intent of the recommendation; but the Commission does not agree that the intent has been fully met. The Commission classifies such recommendations as 'open' or 'open, no acceptable action'.
Classification of recommendations	<p>The Commission classifies open recommendations as follows:</p> <ul style="list-style-type: none">• Open: the recipient has accepted the recommendation, but has not yet submitted a request to close it.• Open, no acceptable action: the recipient has not accepted the recommendation, or considers it has taken sufficient action (see 'no further action' above).• Withdrawn/cancelled: the recommendation has been withdrawn in light of further information from the recipient.• Closed superseded: the recommendation no longer applies because of changes in circumstances, for example, advances in technology, vehicle model no longer in use, or the recipient is no longer operating.

Timeframes for implementation

The time in which a safety recommendation can be implemented can vary considerably. Some recommendations can be implemented quickly because the action to meet its intent is specific and clearly identifiable, and relatively straightforward. Other recommendations may require considerable analysis and consultation to determine the best options, or they may depend on action by third parties. Recommendations requiring legislative change may take several years to implement.

Historic recommendations

In the rail sector, the NZTA and TAIC have a well-established process for monitoring safety recommendations. The CAA and MNZ are working with TAIC to establish similar arrangements, and to close 'historic' recommendations. Without a formalised monitoring process, some recommendations have remained open even though actions have been taken (or circumstances have changed) such that the regulators consider the intent of the recommendations has been met.