

TAIC open recommendations

Half-yearly report

For the six months ended 31 December 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.

		Recommendations issued & closed 1-Jul-18 to 31-Dec-18			Number open as at 31-Dec-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		2	1	1	53	53%	32%	Nil	15%
MNZ		1	0	0	49	35%	65%	Nil	Nil
Rail	NZTA	2	3	3	15	40%	47%	13%	Nil
	KiwiRail	3			12	50%	42%	8%	Nil
	MoT				1		100%		Nil
	NRSS-E				1		100%		Nil
	Local Govt. NZ	1			1		100%		Nil

*For financial year ended 30 June

Air open TAIC safety recommendations as at 31 December 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.

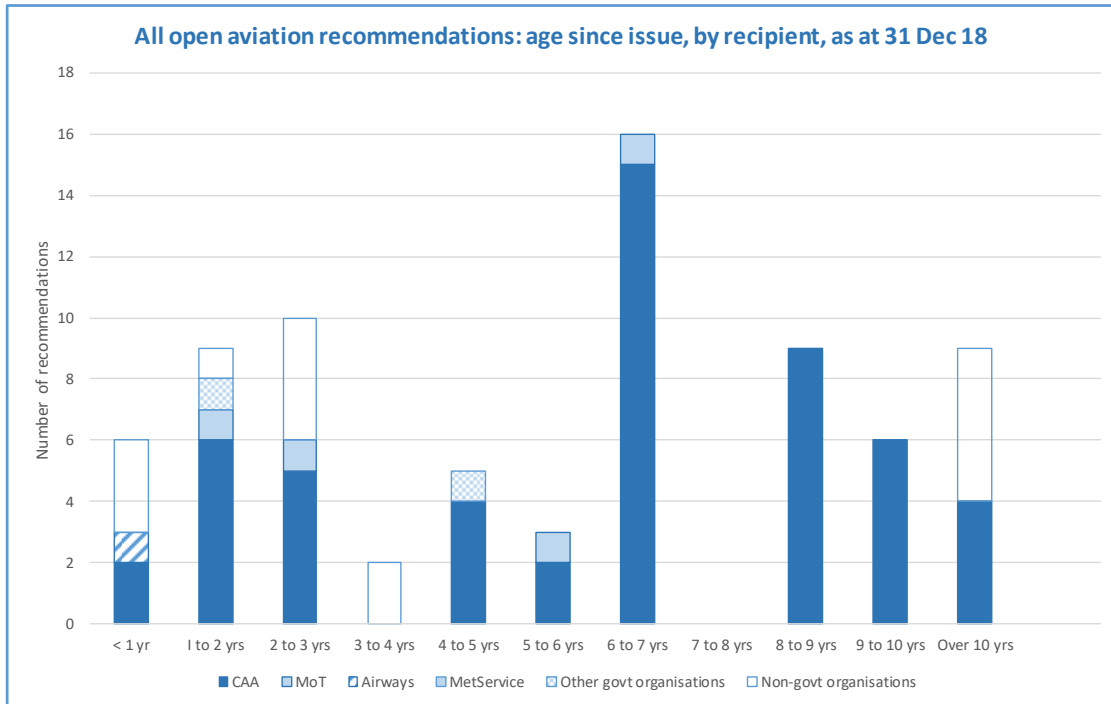
Number of open recommendations	Issued to government organisations Regulator/MoT/SOEs/other							Issued to non-government organisations	
	Total	CAA	MoT	Airways	MetService	Other govt org	Est. closure within 12 months (CAA)	Not accepted (CAA)	Total
Total	60	53	4	1	0	2	28	7	15
Operations	6	6					2	1	
Airworthiness	8	8					1	3	
Aerodromes	0	0					0	0	
Air Traffic Control	1	1					0	0	
Licensing	9	9					4	3	
Historic recs to submit for closure	29	29					21	0	

Status for CAA recommendations

Following on from the previous report, 30 June 2018, the CAA and the Commission continue to progress the work required to close current and historical recommendations. The Authority and Commission's staff are working to document evidence to submit to the Commission seeking the closure of the 29 historic recommendations. Some of these recommendations have been superseded or are no longer relevant for other reasons, and no longer represent a safety issue.

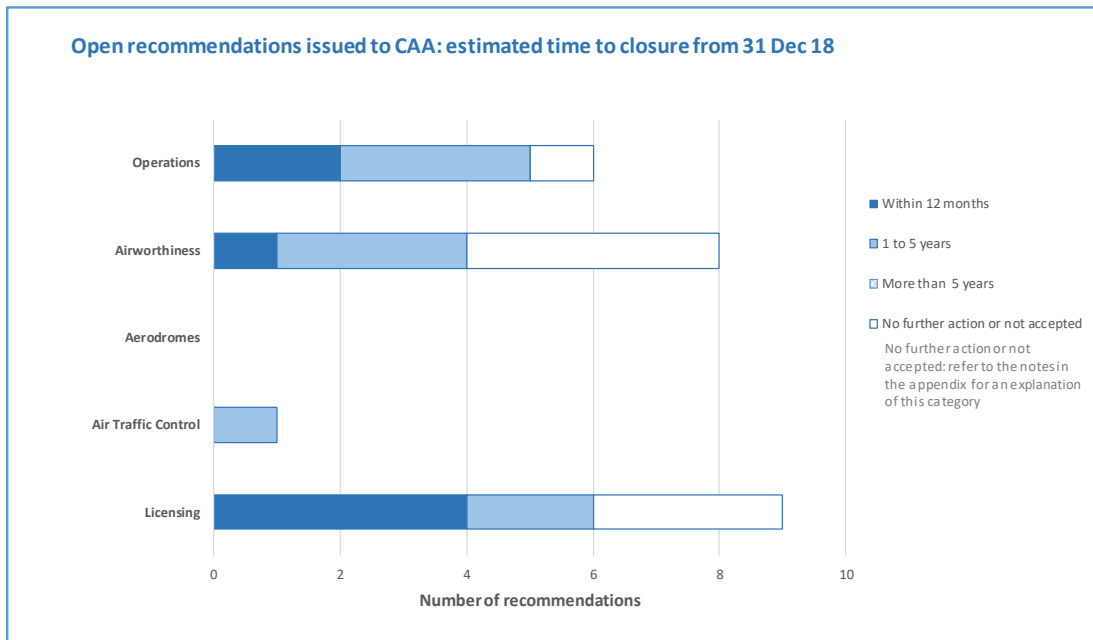
Age of open recommendations

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 31 December 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 Regulator/MoT/SOEs/other											Issued to non-government organisations	
	Total	NZTA	KiwiRail	MoT	NRSS-E	Local Govt. NZ	Est. closure within 12 months					Not accepted	Total
							NZTA	KiwiRail	MoT	NRSS-E	Local Govt. NZ		
Total	30	15	12	1	1	1						Nil	Nil
Level crossings	8	6	1			1	2						
Impairment: drugs/ alcohol/health/fatigue	5		4	1				1					
National Rail Systems Standards	5	4			1								
Fire protection	3	3					2						
Training/change mgmt.	5	1	4				1	3					
Maintenance system deficiency	2	1	1				1	1					
Signaling safety	2		2										

Status of recommendations assigned to the NZ Transport Agency and the NRSS-Executive

National Rail System Standards (NRSS): In the first half of the 18/19 financial year the Transport Agency established a new, collaborative National Rail Industry Action Forum (NRIAF). The NRIAF is chaired by the Transport Agency, with representation from across the rail industry. The NRIAF will meet regularly to discuss and address industry-wide issues and opportunities, including the open TAIC recommendations related to the NRSS. The forum's work programme is currently under development – the programme and working groups to deliver on it should be in place by the end of 18/19.

Level crossings: There are six open level crossing recommendations assigned to the Transport Agency. The Transport Agency Rail Safety team has recently recruited for a new position (Road/Rail Interface Specialist) to focus specifically on level crossing risks. This role will commence later in 18/19 and their first responsibility will be to develop a joined-up work programme to address level crossing risks and issues, including those identified by the TAIC recommendations.

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 later in 18/19; the remaining one is on track to be fully addressed by the end of Q2 19/20.

Remaining recommendations: The Transport Agency has two further open recommendations, related to Maintenance Systems and Training/Change Management. These recommendations require oversight of KiwiRail to complete certain safety improvements. The Transport Agency continues to monitor KiwiRail's progress with these recommendations and is satisfied that the required work is on track.

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 completing this.

Wellington Signalling: Progress has been made on an improvement plan for Wellington Station limits which has been presented to both NZTA and TAIC. This is scheduled to be presented to the Commissioners on 17 April 2019.

Status of the recommendation assigned to the Ministry of Transport

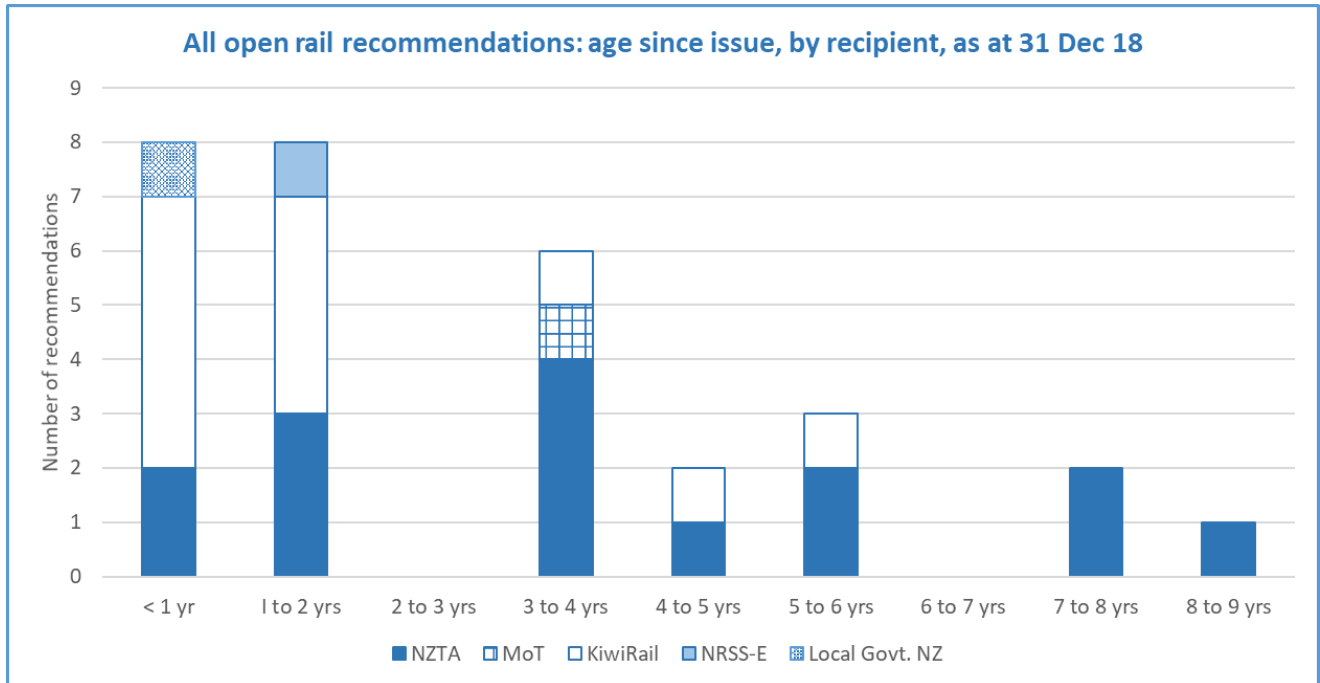
Impairment - health: There are discussions underway regarding opportunities for consideration of this recommendation within the Ministry of Transport's regulatory programme, and whether there is an appropriate vehicle to address the recommendation in the coming 12-18 months.

Status of the recommendation assigned to Local Government NZ

Level Crossings: The recommendation assigned to Local Government NZ was only issued on December 13, 2018. At the time of issue Local Government NZ advised TAIC that they had no comment on the recommendation and would await discussions on the recommendations with the Transport Agency in due course.

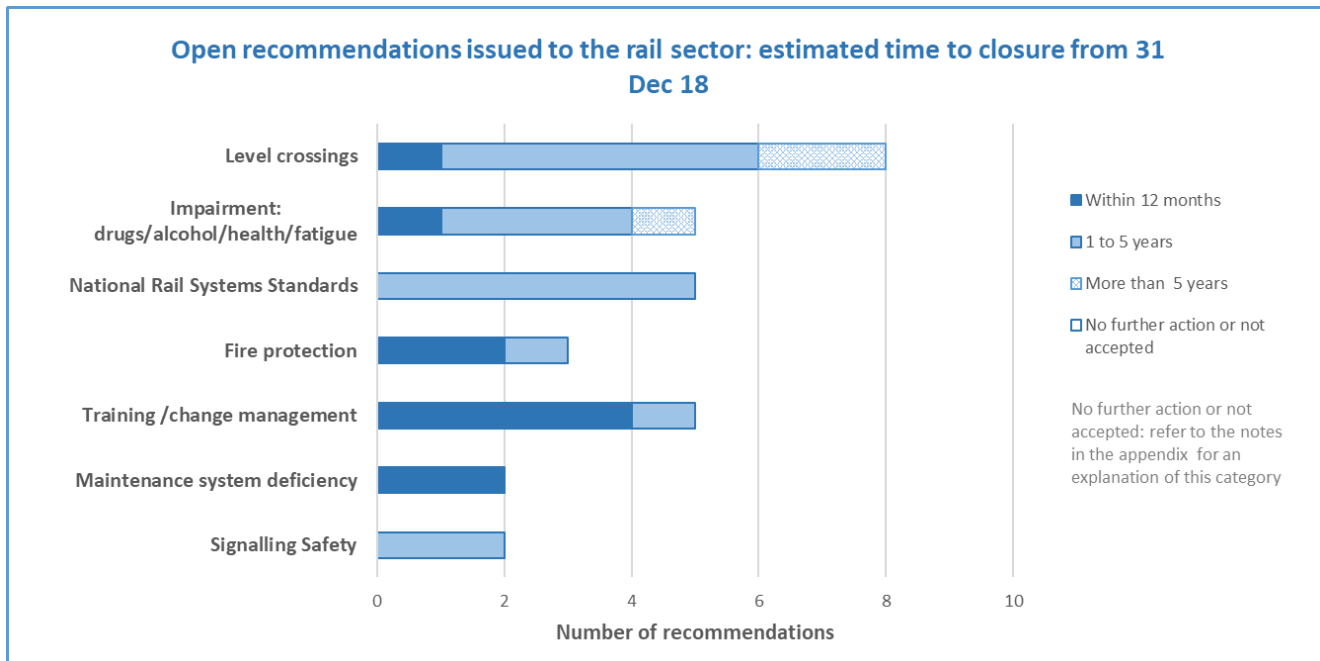
Age of open recommendations

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 of the recommendations issued to the rail sector - NZ Transport Agency, KiwiRail, the Ministry of Transport, the National Rail System Standards Executive and Local Government NZ (note that the timeframe for the Local Govt. NZ recommendation is based on the estimated timeframe provided by KiwiRail for its parallel recommendation on the same safety matter - both recommendations require KiwiRail and relevant road controlling authorities to work together on resolution).



Maritime open TAIC safety recommendations as at 31 December 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	77	49	3	2	0	23	17	Nil	30
Training or Education		14					7		
Safe Ship Management		2					2		
Maritime Rules		12					4		
Safety Management Systems		3					0		
Administrative		7					2		
Aids to Navigation		4					1		
Compliance		7					1		

Status for MNZ recommendations

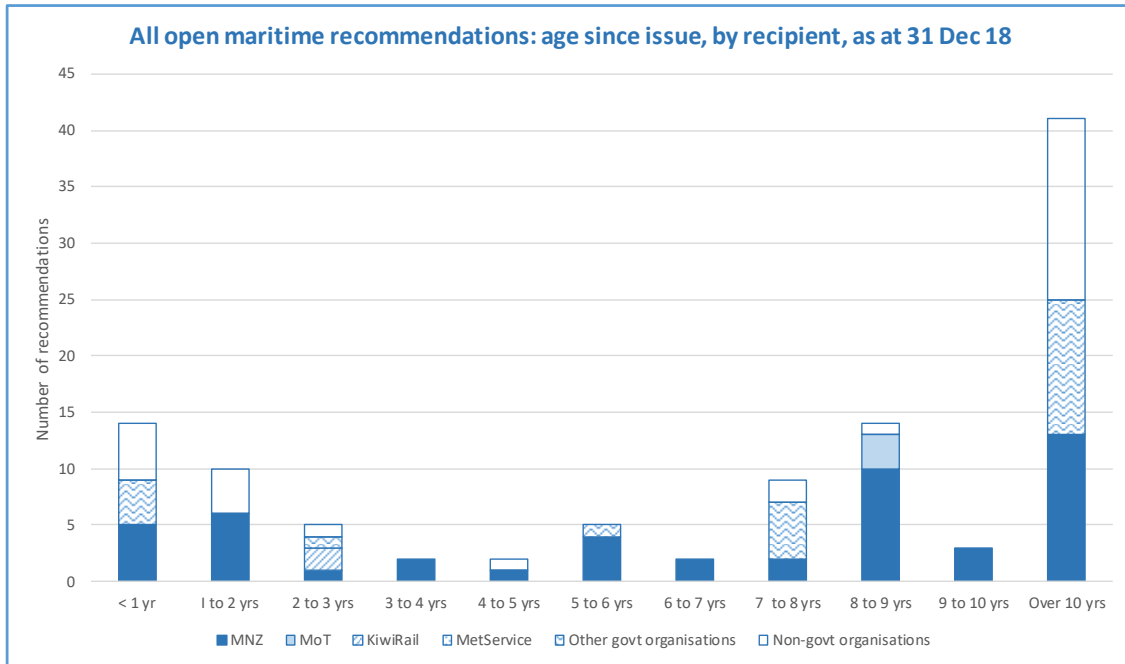
As at 31 December 2018, 49 TAIC recommendations issued to MNZ and three to MoT were open.

One new recommendation was received and no recommendations were closed during this period.

After a recent reorganisation of work within MNZ, responsibility for monitoring and closing TAIC recommendations has now been assigned to the recently created Regulatory Systems Design Group (RSD). RSD is now working in close cooperation with TAIC to ensure a larger number of recommendations are closed within the next 12 months compared to the previous six monthly report.

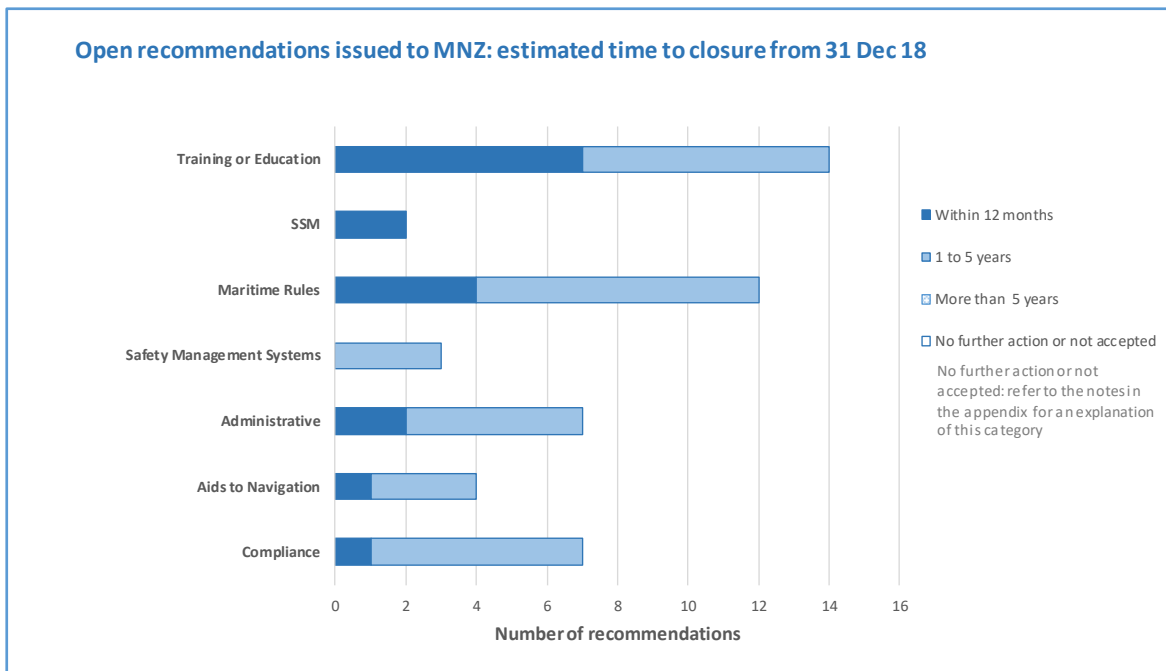
Age of open recommendations

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.