

Network Rail fined nearly £700,000 following ORR prosecution after serious fire accident

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Network Rail has been fined £696,666 after pleading guilty to an offence under the Health and Safety at Work Act, for failing to protect the safety of staff following an incident at Godinton substation in Kent at the end of 2018.

A Network Rail employee was seriously injured with third degree and mixed depth burns in a fire at the substation, after Network Rail failed, over a significant period of time, to prevent water leaking into the building and to maintain dehumidifiers installed inside.

In response Network Rail's Southern region's director, John Halsall, says it was a terrible incident and one they accepted responsibility for and entered a guilty plea as soon as they were able to.

In its investigation, the Office of Rail and Road (ORR) had found the conditions were unsafe, and that the failures led to an electrical arc and a fire while Network Rail's employees were working on a circuit breaker. The conditions inside the substation on the day of the incident were described as "like a sauna."

Sentence was passed by District Judge Barron at Folkestone Magistrates' Court, following ORR's

prosecution.

Ian Prosser CBE, HM Chief Inspector of Railways, ORR said: "This case highlights the importance of acting to reduce or eliminate known risks at an early stage.

"Network Rail knew of the water leak at Godinton for nine months and despite concerns raised by staff and contractors, the required work was repeatedly delayed.

"This was a known risk and the failure to deal with it effectively led to staff working in unsafe conditions, resulting in serious injuries to one employee. This case reinforces the importance of acting effectively on known concerns to protect the health and safety of employees on Britain's railway."

In his remarks, District Judge Barron said that the system of work in place at the time was not sufficiently robust and the training programme for Network Rail's technicians at the time did not adequately identify the dangers of working near to live equipment in damp conditions.

District Judge Barron added that as a result of these failures Network Rail's employees were exposed to risk, and that risk materialised on 20 December 2018 when the flashover and fire occurred.

In response, Network Rail says several changes have been made to the way the company works, including:

- The way we report and deal with leaking buildings has been sharpened up so reports are tracked across the business and we are rigorous with our communications to avoid issues falling into silos and not being picked up.
- We have purchased more and better PPE (Personal Protective Equipment), enhancing the requirements for wearing PPE in electrical supply locations, and we have refreshed and re-briefed the rules around entering those locations.
- We have launched a culture-change programme to help front-line colleagues' ability to escalate matters of concern to them, and also help inform their risk awareness when working in and around the railway. Coupled with regional and national briefings, including a Sentinel competency briefing, this has provided clear and updated guidance for our people working in electrical locations.

Network Rail Southern region's director, John Halsall, said: "The most important thing I can say is sorry. We know this will not undo the incident or make anything better on its own, but it is sincere and heartfelt, and we were in the wrong.

"This was a terrible incident and one we accepted responsibility for and entered a guilty plea as soon as we were able to.

"George and Tyler personify everything that is great about our people at Network Rail, their dedication and desire to do their best for passengers. The incident at Godinton has had a profound effect on Network Rail Southern Region, not just on the people who work with George, but on the way we work and our culture.

"We have made many changes following the events of December 2018, both to our processes and in every

day practical terms, such as improving the protective equipment our people wear. However, the most important is one around culture change, from how we escalate incidents and concerns, to risk awareness, rules and how we look after our people in major incidents.

“All of this will go some way to make sure the terrible events of December 2018 will not happen again. However, we also realise that nothing will undo what happened to our friend and colleague, George, and all that he has gone through. Our thoughts are with him and his family.”

Photo credit: Office of Rail and Road