



Confidential Reporting Guidance


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 LRSSB <small>Light Rail Safety and Standards Board</small>	CONFIDENTIAL REPORTING GUIDANCE		LRSSB - LRG - 27.0	
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THIS DOCUMENT PROVIDES GUIDANCE IN RELATION TO CONFIDENTIAL REPORTING FOR LIGHT RAIL STAFF.				
EXPLANATORY NOTE:				
LRSSB is not a regulatory body and compliance with this guidance document is not mandatory. This document reflects good practice and is advisory only. Users are recommended to evaluate this guidance against their own arrangements in a structured and systematic way, noting that parts of this guidance may not be appropriate to their operations. It is recommended that this process of evaluation and any subsequent decision to adopt (or not adopt) elements of this guidance should be documented. Compliance with any or all of the contents herein, is entirely at an organisation's own discretion.				
SOURCE / RELATED DOCUMENTS:				
LRG 1.0 Tramway Principles and Guidance (TPG) (LRSSB)				
RELATED TRAINING COURSES:			RELATED LEGISLATION:	
			Health and Safety at Work Act etc. 1974 Railways and Other Guided Transport Systems (Safety) Regulations (ROGS) 2006	
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TERMS AND ABBREVIATIONS

Table A – Terms

Term	Definition
Light Rail Operator	The operator of the tramway / Light Rail system

Table B – Abbreviations

Term	Definition
CIRAS	Confidential Incident Reporting and Analysis Service
LRSSB	Light Rail Safety and Standards Board
ORR	Office of Road and Rail
ROGS	The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended)

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1. Introduction

- 1.1. This guidance sets out the basic requirements for a confidential reporting system for Light Rail (tramway) staff. It is a supplementary guide, an addition to guidance that is already available to the rail industry.
- 1.2. This document provides a summary of the areas where Light Rail operators might act to supply a confidential reporting system for all their employees.
- 1.3. This document also includes an outline of the responsibilities of Light Rail operators to publicise the confidential reporting system so all Light Rail employees are aware of its availability, as well as its responsibilities in resourcing investigations and cooperating in responding to reports that have been made by staff.

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2. Scope

- 2.1. LRSSB strongly advocates the use of a secure reporting system. The use of secure reporting ensures that the requirement to cooperate under the Railways and Other Guided Transport Systems (Safety) Regulations (ROGS) 2006 (as amended) are met¹.
- 2.2. An independent confidential reporting service provides a secure way of reporting incidents experienced by Light Rail staff whilst also maintaining confidentiality. The ORR's Risk Management Manual² cites the use of an independent confidential reporting service as a way of bringing a cultural excellence in risk management.
- 2.3. In particular, the ORR's Risk Management Manual highlights that the existence of a confidential reporting system, as a complement to internal reporting, can maximise the opportunity for the leadership of the Light Rail operator to use data captured from the reporting to prevent incidents before they happen.
- 2.4. A third party confidential reporting system that reaches across any relevant contractual boundaries can benefit the Light Rail industry as it enables concerns to be raised that may otherwise remain hidden, especially if there is a fear of breaking confidentiality, or where the lines of reporting are not clear.
- 2.5. With the participation of all the Light Rail industry in a confidential reporting system and also across other sectors of industry (where relevant), there is an opportunity to learn from reporting, responding and good practice.
- 2.6. In addition, a confidential reporting system can also provide a mechanism for staff to report incidents where internal channels have been exhausted, or the concern is too sensitive to be reported in this way. Therefore, it also offers an alternative process for issues to be raised.
- 2.7. The Confidential Incident Reporting and Analysis Service (CIRAS³) is the secure reporting system used by all existing Light Rail operators. It is an independent service which is informed by the advice of a CIRAS committee which is made up of experts and representatives from across its membership including LRSSB. Further information relating to CIRAS is contained below in Section 8.
- 2.8. CIRAS have a number of resources to assist members with secure reporting including the following:
 - Guides on how to respond to a report, posters and videos for sharing with staff⁴;
 - Frontline Matters newsletters for sharing with all staff⁵; and
 - Events, including training for reps and topic based events for good practice sharing⁶.

1 The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (legislation.gov.uk)

2 Risk Management Maturity Model (RM3) | Office of Rail and Road (orr.gov.uk)

3 <https://www.ciras.org.uk/>

4 <https://www.ciras.org.uk/Resources-and-Learning/Member-resources>

5 <https://www.ciras.org.uk/Whats-New/Newsletters>

6 <https://www.ciras.org.uk/Whats-New/Events>

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2.9. The guidance within this document needs to be considered alongside the Light Rail system’s own responsibilities in ensuring health and safety at work and their own duties under health and safety legislation.

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3. Company Representative and Resourcing

- 3.1. In order for any confidential reporting system to be effective, it will need to be adequately resourced by staff with the appropriate knowledge and understanding of Light Rail systems, which may include the following (not exclusively):
- The basic structure and attributes of the Light Rail Industry;
 - The types of organisations in which Light Rail staff typically work;
 - Awareness of relevant contractual arrangements in relation to jurisdiction and responsibilities;
 - An overview of the type of tasks that staff or contractors may be undertaking; and
 - The different work environments within the Light Rail industry.
- 3.2. As part of their commitment to the use of a secure reporting system, Light Rail operators appoint a company representative from their organisation who is responsible for being the single point of contact for the confidential report system within the organisation.
- 3.3. The representative should have appropriate knowledge and experience of the confidential reporting system processes as well as the company's own internal processes. This person would also need to have the ability to work independently and not be unduly influenced by their organisation.
- 3.4. The representative's role is also to provide appropriate responses that adequately address the issues within agreed timescales. This includes actively seeking responses from others within their organisation who have been delegated the responsibility of providing the response. They are also responsible for ensuring that responses sent to the reporting system are written in plain English.
- 3.5. The company representative is to support and promote the use of the confidential reporting system alongside other channels available to staff. Refer to Section 4 below for further guidance relating to the publicising of the confidential reporting system.

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4. Publicising the Confidential Reporting System

- 4.1. The Light Rail operator shall make all employees and contractors aware of the secure reporting system and the process for raising reports. They should ensure that relevant information and materials are readily available and accessible to assist staff and facilitate the reporting of incidents to the confidential reporting system.
- 4.2. In addition, the confidential reporting system should be proactively promoted by the Light Rail operator, for example by displaying promotional material in depot break rooms, rest areas, booking points or staff notice boards etc. Resources are available on the CIRAS website to facilitate this including those listed in 2.8 above.
- 4.3. The Light Rail operator should also seek to create and promote an atmosphere where reporting to the confidential reporting system (as well as to internal reporting processes) is seen in a positive light among employees, and they understand the importance and relevance of this reporting to safety and for workers in the Light Rail industry.
- 4.4. A confidential reporting system should complement other established forms of safety reporting and may be of particular importance where normal internal channels have been exhausted without resolution, or where the issue is of such sensitivity that the individual considers that internal channels are not appropriate.

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5. Investigating Safety Reports

- 5.1. The Light Rail operator has a duty to respond to safety reports that are received from the confidential reporting system and to investigate them so the operator can identify and mitigate the issues raised.
- 5.2. In addition, as well as addressing the issues, the prompt and thorough investigation of incidents increases the credibility of reporting incidents and the secure reporting system. This increases confidence and trust of staff in reporting incidents and in the reporting system as it is seen in a positive light and promotes a positive culture of reporting. A report can also be a useful prompt to review why someone might have chosen to report confidentially, and whether there is any further action that can be taken to lower the barriers to internal reporting.
- 5.3. The reports lodged are sent from the reporting system to the company representative (see Section 3). They and the Light Rail operator are responsible for ensuring that adequate responses are provided by the Light Rail operator within agreed timescales which includes seeking responses from others within the organisation.
- 5.4. The timescales agreed for responses include taking account of any necessary enquiries and investigations to be made within the organisation and for responses to be formulated. If the investigation is lengthy and / or complex, progress reports should be made to the secure reporting system so the person who made the report can be kept informed (by the reporting system).
- 5.5. The response to the report raised should address the subject directly in plain English and respect the motives and anonymity of the person who made the report.
- 5.6. Some systems (for example, CIRAS) allocate a reporting analyst for each report made to the confidential reporting system who liaises with the company representative.

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6. Outcomes

- 6.1. The use of a secure reporting system enables shared learning across the Light Rail industry as well as other related industry sectors and as such, Light Rail operators should, where appropriate, support this for the benefit of the Light Rail industry and it's employees.
- 6.2. The use of a single secure reporting system can also lead to the Light Rail industry as a whole preventing incidents before they happen, by the sharing of data from concerns that have been raised within one Light Rail system with other UK Light Rail systems including identifying any trends.
- 6.3. The use of a single secure reporting system where incidents are reported that otherwise may not be reported through internal channels also maximises the opportunity for the leadership of the Light Rail operator to use data captured from the reporting to prevent similar incidents before they happen.

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7. Respecting and Protecting Confidentiality

- 7.1. The anonymity of any individual who has made a report to the secure reporting system shall be respected and protected at all times.
- 7.2. Light Rail staff must have confidence that any report they make will remain confidential. They need to have the assurance that there will not be attempts to override anonymity or confidentiality, or to try and identify those who made the report from their contents. Any attempts to do this will deter staff from using the secure reporting system due to lack of confidence in reporting matters and thus its effectiveness will be reduced.

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8. CIRAS

- 8.1. Following the considered success of the trials of a confidential reporting system in Scotland in 1996, the system was extended to England and Wales in 2000 and is known as the Confidential Incident Reporting and Analysis Service (CIRAS).
- 8.2. CIRAS is an independent service which is informed by the advice of a CIRAS committee that is made up of experts and representatives from across its membership, which currently includes all existing Light Rail operators.
- 8.3. Membership of CIRAS includes organisations from the heavy rail, bus and construction sectors as well as the Light Rail sector.
- 8.4. The body of safety intelligence that CIRAS acquires has enabled lessons to be learned for wider application than one organisation or industry sector, whilst preserving the anonymity of the reporters.
- 8.5. All UK Light Rail operators subscribing to a single system will have many advantages as listed below (not exclusively):
 - Identifies any Light Rail industry trends;
 - Unhindered cooperation on third party reports;
 - Brings economies of scale; and
 - Assists in maintaining anonymity.
- 8.6. Therefore, CIRAS is a service through which Light Rail operators can meet the requirement to cooperate under ROGS.