Joint Coordinating Group of Experts
(Video conference, 7 and 8 September 2021)

Agenda item 3: Review of and report on the list of priority items agreed at the previous meeting

5 b – Coordination process between RID and general Railway legislation for reporting accidents/incidents and statistics

ITEM 9: New Joint Meeting working group identifying interfaces with ERA tasks

Transmitted by European Union Agency for Railways
Item 9 – TDG occurrence reporting in accordance with CSM ASLP

Joint Coordinating Group of Experts
(remote meeting) 7 September 2021

Outline

• CSM ASLP state of play
• Reporting requirements
• Practical implementation
• Planning of implementation (as foreseeable today)
CSM ASLP State of Play

11/2019 (Big Picture)

1st Working party meeting

04/2020 Preliminary REC.

17/12/2020 Draft REC.

17/12/2020 to 17/03/2021 Consultations

19/05/2021 Final REC.

We are here

ADOPTION PROCESS BY EUROPEAN COMMISSION
(MANAGED DG MOVE C4)

CSM ASLP Recommendation State of Play

- ERA addressed its final recommendation to the European Commission

ERA recommendations

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<tr>
<th>Library</th>
<th>Corporate Publications</th>
<th>ERA Recommendations</th>
<th>Studies</th>
<th>Opinions and technical advices</th>
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<th>Media</th>
<th>ERA Knowledge Hub</th>
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Recommendation ERA1219

26/05/2021

RECOMMENDATION ERA1219 OF THE EUROPEAN UNION AGENCY FOR RAILWAYS on Common Safety Methods for assessing the safety level and the safety performance of railway operators at national and Union level

- Recommendation adopted by ERA Executive Director (151.27 KB)
- CSM Regulation recommended for adoption (1.46 MB)
- Impact Assessment (674.97 KB)
- Accompanying report (632.78 KB)

Link to all documents: [ERA recommendations] | [ERA (europa.eu)]
**CSM ASLP requirements**
(also applicable to TDG railway service)

- **Reporting by operators** (RU/IM) in accordance with predefined taxonomy:
  1. **Occurrence**
  2. **Scenario of occurrence** (sequence of events and underlying factors)
  3. **Risk control measures** (RCMs)
  4. **Continuous maintenance and development** of RCMs (Performance of SMS application / PDCA cycle)
  5. **Volume of transport operations**

- **Harmonised assessments of operators** (RU/IM) processed by ERA
  - Safety level assessment (based on previous points 1 and 5)
  - Safety performance assessment (based on previous points 3 and 4)
  - Aggregation of national and Union level indicators

- **Group of Analysts**
  - Working on collective learning
  - Prevention of re-occurrence
  - Support continuous improvement of safety management (at operator/national/EU levels)
  - Support continuous improvement of the CSM itself (for example, taxonomy revisions...)

- **Information Sharing System**
  - Supporting sharing of information between all parties, inc TDG Competent Authorities
  - Possible link with pre-existing systems with a **Common Digital Interface**
# CSM ASLP requirements versus RID provisions

<table>
<thead>
<tr>
<th>Topic</th>
<th>CSM ASLP</th>
<th>RID</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting of Occurrence (RU and IM)</td>
<td>Yes, EU harmonised requirements (see Article 4.2)</td>
<td>Yes, RID harmonized (section 1.8.5.3)</td>
<td>On-going alignment of taxonomies by UNECE/OTIF WG on improvement of accident report Reporting criteria not fully aligned. Both text applicable to operators.</td>
</tr>
<tr>
<td>Reporting of occurrence Scenario</td>
<td>Yes, EU harmonised requirements (see Article 4.2b)</td>
<td>Not required, but possible.</td>
<td>Possibly shared between RID Contracting States (section 1.8.5.2) in case an accident report contains this type of information. Experience has indicated a low level of detail, in general.</td>
</tr>
<tr>
<td>Reporting of Risk Control Measures applied by RU and IM</td>
<td>Yes, EU harmonised requirements</td>
<td>Not required</td>
<td>CSM ASLP focusses on the prevention of transport accidents and incidents.</td>
</tr>
<tr>
<td>Reporting of Volume of transport</td>
<td>Yes, EU harmonised requirements</td>
<td>Not required</td>
<td>Volume per type of railway service, including TDG service.</td>
</tr>
<tr>
<td>Assessment of operators (RU and IM)</td>
<td>Yes, EU harmonised assessment</td>
<td>Not required</td>
<td></td>
</tr>
<tr>
<td>Continuous improvement (RU and IM)</td>
<td>Yes, EU harmonised CSM on SMS (Regulation)</td>
<td>Yes, RID/ADR/ADN duties of the safety advisors (1.8.3.3 RID)</td>
<td>Broadly equivalent in terms of topics covered, but different legal approach and scope. Both texts are applicable to operators.</td>
</tr>
<tr>
<td>Prevention of re-occurrence</td>
<td>Yes, Group of Analysis (see Article 6)</td>
<td>Safety Advisor duty (section 1.8.3.3)</td>
<td>RID: &quot;Implementation of appropriate measures to avoid the recurrence of accidents, incidents or serious infringements&quot; CSM ASLP: Collective improvements by Group of Analyts</td>
</tr>
<tr>
<td>Harmonised sharing of information</td>
<td>Yes, Information Sharing System (see Article 7)</td>
<td>Possibly shared between RID Contracting States (section 1.8.5.2)</td>
<td>CSM ASLP – Appendix D, defines the rules for sharing information reported by RU and IM with each railway actors, including TDG Competent Authorities.</td>
</tr>
</tbody>
</table>

## CSM ASLP practical implementation

**Article 4**

.../...

2. Each railway operator involved in an occurrence shall report in accordance with Appendix A:

(a) a ‘Simple Reporting’
   
i. of any accidents with a serious or significant consequence, within 72h,
   
ii. of any accidents with a consequence above 5000 euros and of any category B event types, at the latest 72h after the end of the applicable reporting period;

(b) a ‘Detailed Reporting’ and a ‘Reporting of the Occurrence Scenario’ of any accidents with serious or significant consequence, within 2 months.

Reports in accordance with Article 4(2)(b) concerning level crossing accidents and accidents to persons involving rolling stock in motion shall only be applied on request from the Agency, according to the process described in Appendix A – Part A, section 4.
CSM ASLP practical implementation

see Appendix A
see Appendix D

<table>
<thead>
<tr>
<th>Applicable rules for data and information specified as mandatory by the CSM ASLP</th>
<th>Applicable rules for data and information not specified as mandatory by the CSM ASLP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerning one given railway operator</td>
<td>Concerning one EU Member State</td>
</tr>
<tr>
<td>Concerning the SEERA</td>
<td>Any other data or information</td>
</tr>
</tbody>
</table>

- **May be shared with**
  - the same given (single) railway operator
  - the authority(ies) from the EU Member State(s) where the targeted railway operator operates (NSA, NBR, TDO Ca)
  - European Union Agency for Railways (the Agency)
  - Group of analysts (GoA)
  - Other entities and General public

- **Any data and information to be shared in application of the CSM concerning the targeted railway operator**
  - Any data and information to be shared in application of the CSM in accordance with the scope of operations of the targeted railway operator in the concerned EU Member State(s)
  - Any national averages or EU patterns to be shared in application of the CSM
  - Any data and information to be shared in accordance with the Working Arrangement referred to in Article 6(3) and in accordance with the applicable EU legislation.
  - Any data and information foreseen to be made public in application of the CSM ASLP, or on request in accordance with the applicable EU legislation.

- **Sharing of information based on applicable EU legislation, and where necessary, completed by a confidentiality agreement signed between the concerned parties.**

- **The sharing of data and information will be managed, when necessary under a specific fee-based regime, in agreement with the concerned entity(ies) and the Agency in order to cover the expenditure incurred by the Agency related to the design, setting, operation, and maintenance of the shared data and information.**
CSM ASLP phased implementation

see Article 11

Entry into force and application

1. This Regulation shall enter into force on the twentieth day following its publication in the Official Journal of the European Union.

2. The Group of Analysts referred to in Article 6(1) shall be established by the Agency and shall start its activities before [date].

3. Before the full application of this Regulation is implemented in accordance with Article 11(4), the implementation shall be performed with a phased introduction of the Information Sharing System and of the implementation scope, as following:

   (a) Phase 1 shall apply from [date] and shall be implemented with the help of an immediately available ICT solution provided by the Agency, not requiring specific developments and entities requested to share data and information in accordance with this Regulation shall register and connect with the provided solution.

   (b) Phase 2 shall apply after the Agency has addressed a recommendation in accordance with Article 10(1) to the European Commission and after the Agency has made available a first version of the Information Sharing System.

   The entities requested to share data and information in accordance with this Regulation shall register and connect with the Information Sharing System not later than six months after this phase has started.

During the above mentioned phases 1 and 2 the collection of data and information shall be limited to Articles 4(2)(a)(i) and 4(2)(b) and limited to accidents with serious consequences.
CSM ASLP phased implementation

see Article 11

.../...

(c) Phase 3 shall apply after the Agency has addressed a recommendation in accordance with Article 10(1) to the European Commission and after an updated version of the Information Sharing System ensuring the full applicability of this Regulation has been made available.

Phase 3 shall implement the full scope of data and information collection defined in Article 4.

4. The Regulation shall apply in its entirety six months after the starting date of phase 3 referred to in Article 11(3)(c).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

January 2025 (to be confirmed)

June 2025 (to be confirmed)

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