

News story: Report 07/2017: Track workers class investigation

The Rail Accident Investigation Branch (RAIB) has investigated a number of accidents involving track workers on Network Rail's infrastructure and has identified track worker safety as an area of particular concern in recent annual reports. This report describes the RAIB's investigation into the safety of track workers working outside possessions of the line (ie those cases in which the normal running of trains has not been blocked to allow engineering work to be carried out). It follows the publication in 2015 of the RAIB's report into irregularities with protection arrangements during infrastructure engineering work.

Five recommendations have been made to Network Rail. These cover

The last fatality as a result of a track worker being struck by a train occurred in 2014; there have been six such fatalities over the last ten years. However, in our recent annual reports the RAIB has expressed a concern about the number and severity of serious 'near miss' incidents, some of which have included the potential to result in multiple fatalities. By way of example, during 2015 we identified 71 incidents in which track workers working outside a possession on Network Rail infrastructure were at risk of being struck by moving trains.

I have detected a real determination in the railway industry to address this issue, and recognise the significant number of initiatives with the potential to reduce the risk to track workers, including the use of technology to provide improved protection from trains. Another such initiative is Network Rail's Planning and Delivering Safe Work (PDSW) programme, which is intended to ensure that every task is correctly planned, and implemented by a specially selected and trained individual, designated the 'Safe Work Leader' (SWL), who has been involved in the planning of the work. Although the implementation of the PDSW programme has been seriously delayed, I hope that in time it will bring further improvements to the management of track worker safety.

We undertook this class investigation because we felt that we could add some useful learning to the strategies being adopted in the industry, by analysing a sample of near miss incidents to identify recurrent causal factors.

Our analysis has shown that, in more than half of the incidents, circumstances on site had changed from those envisaged by the pre-planned safe system of work. We also point out that even the best of plans cannot predefine every detail of the system of work that is to be implemented on site. This is particularly true of red zone working where safety is dependent on the correct assessment of the required sighting. Consequently, we are recommending that the industry should consider the extent to which those with safety leadership responsibilities are able to recognise and respond

appropriately to the circumstances they find on site and any subsequent changes. The RAIB has concluded that the safety of track workers is best achieved by a combination of good pre-planning and the local management of risk by the person responsible for safety on site.

Our analysis has also found that the behaviour and attitudes of track workers, including those with responsibilities for leading safety, are major factors in the causation of incidents. Given that behavioural and cultural issues can lead to breakdowns in site discipline or loss of vigilance, the RAIB considers that the industry should reinvigorate the training it provides to track workers in the 'non-technical skills' needed to work safely on the railway (ie generic skills such as the ability to take information, focus on the task, make effective decisions, and communicate clearly with others).

For me, the most striking finding of our investigation is the absence of normalised data to allow a direct comparison of incident rates for different safe systems of work. Since I believe that the first step in the management of safety is always to understand the risk, I think it is vital that Network Rail and its contractors find ways of collecting reliable data that allows these comparisons to be made (such as incidents per thousand hours worked). With this objective in mind, we have made a recommendation to Network Rail to address this gap in its understanding. I hope that the resultant normalised data will support the move towards a more risk based approach to track worker safety.

I am sometimes asked for my view on whether it is still appropriate for workers to be solely reliant on warnings of approaching trains provided by one or more lookouts – 'red zone working'. The evidence we have collected over the last 11 years suggests that the industry needs to continue looking for reliable systems of work that separate people from trains whenever practicable. Although supportive of the industry's intention to minimise the extent of red zone working, I am concerned that the industry needs also to carefully analyse the risk implications of extending the number of temporary blockages of the line, which are vulnerable to errors made by signallers as well as by those leading work on the track. I am encouraged that the industry is continuing to research and develop systems and processes designed to reduce the chance of a human error (whether by track worker, lookout or signaller) leading to an accident.

I believe that, informed by this class investigation, now would be a good time for the industry to review and debate the steps needed to maintain recent improvements in track worker safety, while also reducing the number of near miss incidents. This debate needs to encompass ways of improving planning, how and when to apply different methods of protection, the potential benefits of new technology and how to better equip safety leaders on site to adapt to circumstances not covered by the plan.

News story: Women in Business event at the British Ambassador's residence

The British Ambassador Mr Jon Wilks, alongside British Entrepreneur Rekha Mehr MBE and Omani Businesswoman Malak Al Shaibani, hosted a Women in Business Afternoon Tea at the Ambassador's Residence.

Over the past four decades, His Majesty Sultan Qaboos bin Said has encouraged the women of Oman to work side by side with men and pursue their careers, ensuring they have the same rights to education and employment.

Following on from the previous women in business event hosted by Her Royal Highness the Duchess of Cornwall last November, this event aims to recognize women in business in Oman, and highlight their contributions towards the nation. H.E. Jon Wilks said 'On behalf of the British Embassy in Muscat, I am delighted to celebrate the contribution of Omani women to the success of the modern development of Oman in accordance with His Majesty Sultan Qaboos' vision. Our guests are inspiring in what they have achieved for the Sultanate. We invited Rekha Mehr who was awarded an honour by Her Majesty the Queen for services to enterprise and entrepreneurship, to be guest speaker so that she could share with our guests her passion for business, specifically ideas for building a support infrastructure for early stage businesses to grow and thrive.'

Rekha is a British Entrepreneur and founder of Pistachio Rose London and Monrekha Academy. She was appointed as the first Startup Entrepreneur in Residence for the Department of Business, Energy and Industrial Strategy where she works to inform policy and better shape the business support landscape. Rekha said 'Successful entrepreneurial ecosystems are built upon the foundations of strong communities. I am looking forward to meeting the local ladies who are the driving force behind supporting Omani Women in Business and sharing our stories.'

The National Business Center (NBC) provides office facilities as well as value added services to Omani entrepreneurs and has more than 40 startups operating in safety services, interior design, oil and gas services and media. The NBC has also initiated a program to recognize and support business women in Oman.

Mrs. Malak Al Shaibani, the Director General of the NBC who has worked closely with the Embassy to organize this series of events says that NBC is delighted to support and be part of these initiatives. She said 'It gives us an opportunity to interact with successful local business women and professionals, and also the opportunity to meet Rekha and learn more about her experience as an entrepreneur. Her knowledge and skills of working to improve the ecosystem is extremely valuable to us as a business incubator.'

Nuttall condemns the oppression of Gay men in Chechnya

Reports are coming out of Chechnya, about the arrests, imprisonment, torture and in some cases murder of gay men. Paul Nuttall, the UKIP leader has condemned the actions of the Putin backed warlord Ramzan Kadyrov,

“If these reports are true, and it looks like they are, then the Government must protest in the strongest manner.

“Just because the warlord of this Islamic fiefdom is an ally of Putin should not blind us to the horrific abuse of human rights being perpetrated.

“Putin claims to oppose Isis and its blend of fundamentalism in Syria but seems to be impervious to decency. He has the power to stop this inhumanity. The Government should demand that he does.”

News story: GC team verifies sampling procedure to detect carcinogenic toxins

Why aflatoxins are dangerous and challenges in detection

The Government Chemist is required to act as the national focus of technical appeal in specified areas where there is an actual or potential dispute between food businesses and regulators on the results of chemical analysis or their interpretation.

Many such disputes have involved aflatoxins, which are toxins generated by moulds that can cause cancer. Port Health Authorities safeguard the food supply coming into the UK by sampling large consignments of food for aflatoxin testing by Public Analysts. However, mould growth is notoriously patchy – so how good is the sampling and does it really protect us from these toxins?

What we have done to help

The Government Chemist team investigated the effectiveness of the current sampling protocol, which sees multiple increments taken and aggregated to form a sample up to 30 kg in size. The sample is then reduced to manageable proportions for testing by statistically controlled sub-sampling and high speed mixing with water.

In this study, six replicate sampling exercises were carried out on a 1.5 tonne cargo of groundnuts (peanuts) known to be contaminated by the toxin-producing mould. The results confirmed that when carried out properly, the elaborate sampling was able to spot the contamination each time.

The full report is available in an [open access scientific paper](#).

The lead author of the paper, Dr Michael Walker, said:

Importers and Port Health officials work hard together to ensure food brought into the UK is safe to eat by lengthy and painstaking sampling. It is important to be sure this costly work is effective and I am pleased our findings bore this out.

The Government Chemist team would like to acknowledge the kind assistance of Prof Duncan Thorburn Burns, Institute of Global Food Security, Queen's University, Belfast, in the publication of this work.

Reference

[Michael Walker, Peter Colwell, Simon Cowen, Stephen LR Ellison, Kirstin Gray, Selvarani Elahi, Peter Farnell, Phillip Slack and D Thorburn Burns, 2017, Aflatoxins in Groundnuts – Assessment of the Effectiveness of EU Sampling and UK Enforcement Sample Preparation Procedures, J Assoc Public Analysts, 45, 1 – 21](#)

[Labour will use £200 billion government purchasing power to upgrade our economy](#)

Corbyn: We will use the £200bn government spends in the private sector and powers taken back from Brussels to upgrade our economy and create good jobs

Speaking at Wabtec train maintenance

company in Doncaster this afternoon, Jeremy Corbyn will pledge that the next Labour government will use the enormous £200 billion national and local government spends in the private sector to upgrade our economy, create good local jobs and reduce inequality.

This will include requiring best practice from firms government does business with on:

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paying tax
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workers' rights
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equal opportunities
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environmental protection
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training and apprenticeships
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paying suppliers on time, and
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boardroom excess, by moving to a 20-1 limit on the gap between the lowest and highest paid.

He will also announce how Labour would use powers repatriated from Brussels after Brexit to create high quality local jobs, develop new industries and support good domestic businesses – large and small. This would mean allowing public bodies to support local jobs and businesses with local employment and content requirements.

Jeremy Corbyn will also call on the government to consider extending the rights of local authorities in left-behind areas to require local suppliers and jobs in public contracts, in relation to World Trade Organisation procurement rules, as has happened in the US.

Jeremy Corbyn, Leader of the Labour Party, speaking at the event, will say:

“For years we’ve been told that there’s nothing that can stop the race to the bottom in the jobs market that is making people’s lives harder and holding back our economy.

“Well, today I say, Britain doesn’t have to be so meek, and settle for things getting worse and more insecure for so many. We

can

make the change we need if we understand the power we already have – and how we can better use it.

“National and local government spends £200 billion per year in the private sector. That’s an incredible purchasing power, which we can use to support the good companies and improve the behaviour of the bad ones that undercut with unfair practices.

“Under the next Labour government, Britain will subsidise bad corporate behaviour no longer. Our business partners should have the same values we as a country hold: enterprise, fairness, high-quality service and doing right by everyone.

“And while Brexit presents many challenges to Britain, it can give us more powers to encourage best practices and support new and existing businesses and industries in Britain.

“While the Conservatives seem intent on using Brexit to turn us into a low-wage tax haven, Labour will use every power possible to upgrade our economy so we can all lead richer lives.”

Ends

Notes to editors:

1. Require all companies bidding for a government contract to meet the following:

- a) Give full trade union recognition for their workforce and comply with collective bargaining agreements
- b) Move towards a ratio of 20-1 between the lowest and highest paid, matching the target in the public sector, over a transitional period
- c) Pay their suppliers the full amount owed within 30 days
- d) Maintain high environmental standards in relation to energy use, emissions and waste disposal, while taking appropriate measures to aid the transition to a low carbon economy
- e) Provide training and

apprenticeship opportunities proportionate to firm size

f) Full tax compliance

g) Adopt best practices in equal opportunities

This is all possible within existing EU rules, provided it's done on a non-discriminatory basis. In particular:

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The 2014 EU Directive expressly requires Member States to take into account the widest possible range of social and environmental considerations, as well as price, when buying goods and services for the public sector.

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In UK law, the Public Services (Social Value) Act 2012 requires authorities that are engaging in certain procurement exercises for services, to consider first how the proposed procurement might improve the economic, social and environmental well-being of their area, and how these improvements might be secured. The Act applies to England, and to Wales to a limited extent.

2. For government contracts that fall outside the WTO General Procurement Agreement (GPA), we would introduce local jobs and content requirements to allow public bodies to use local pounds on local jobs and businesses.

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Currently, both EU and the WTO General Procurement Agreement (which the UK is a member of in virtue of being in the EU) require that public procurement contracts above certain thresholds be opened up to potential suppliers from other countries. These thresholds are £5,446,950 for construction contracts, £141,621 for central government contracts for goods and services, and £217,878 for subcentral government contracts for goods and services.

The thresholds for central government entities are 130,000 Special Drawing Rights (SDRs) for goods and services, and 5m SDR for construction; UK central government bodies that are covered by the GPA are listed [here](#) (at the bottom of the document). The thresholds for sub-central government entities are 200,000 SDR for goods and services, and 5m SDR for construction; these include county council and city council procurement bodies, as well as local

schools, fire authorities, NHS procurement etc. Calculations above are made on the basis of a 1SDR = £1.09 exchange rate.

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Below these thresholds, much procurement is opened to suppliers in other EU member states because of principles that are part of the Treaty on the Functioning of the European Union. Leaving the EU should therefore create scope for additional flexibility for public authorities to require the use of local or regional suppliers after Brexit below these thresholds. That would allow procurement contracts below GPA thresholds to contain local jobs and content requirements, directing public money back into local economies.

“As regards below-threshold procurement, the practical importance of covering this may depend on the extent to which regional or local discrimination is prohibited internally in the UK, since this kind of discrimination may provide the greatest barrier to market access.” Source: Sue Arrowsmith, [Consequences of Brexit in the area of the public procurement](#), April 2017

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In 2012 the UK had €96.8 billion of public procurement contracts above threshold. Of these contracts, €74.4 billion (or 77%) were covered by the GPA and €22.4 billion (or 23%) were not. Since 2012 there the GPA has been revised and EU procurement directives have been updated. In 2015, the UK spent €127.56 billion on above threshold public procurement. This is roughly a third to a half of all procurement spending, implying that at least half falls under thresholds.

These figures are indicative figures only. They are provided by the House of Commons library with the following notes:

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2012 figures are from WTO Committee on Government Procurement, [STATISTICS FOR 2012 REPORTED UNDER ARTICLE XIX:5 OF THE AGREEMENT: REPORT BY THE EUROPEAN UNION](#), June 2016 – UK annex (annex 29), Total table

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2015 figure is from European Commission, [Public Procurement Indicators 2015](#), December 2016 – this figure is based on the value of tenders published in the EU TED (OJEU) database, including for utilities and defence. Tenders must be published in the

database if they are over threshold. The database – and therefore the statistics – do include some tenders that are under the threshold – about 8% of UK tenders are under the lowest of the thresholds.

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There are a couple of ways to calculate total public procurement spend and these affect the calculation of the proportion of all spending that is above threshold – figures from the Whole of Government Accounts give a lower total (and a higher proportion) as they exclude public sector purchases from the public sector itself.

3. Labour
is calling on the Government to do an impact assessment of the level and extent of coverage of the GPA on “left behind” local authorities

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The UK is currently subject to the GPA as a member of the EU, but not in its own right – the government is apparently “considering the UK’s position” as to whether it will seek to remain a member after Brexit.

<https://www.publications.parliament.uk/pa/cm201617/cmselect/cmintrade/817/81705.htm>

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While the USA is signed up to the GPA, there is significant variation in the level of coverage across different states. Only 37 of the 50 states are included in the GPA, and, among those that are, the GPA has extensive coverage over public spending by the states of, for example, Washington and California and much more limited coverage in Mississippi and Hawaii.

https://www.wto.org/english/tratop_e/gproc_e/gp_app_agree_e.htm

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The USA and Canada also have higher thresholds for sub-national contracts for goods and services than the UK currently does within the EU.

355,000 SDR compared to 200,000 SDR for EU countries, see

https://www.wto.org/english/tratop_e/gproc_e/thresh_e.htm

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Given the restrictions imposed by the GPA on local

authorities, Labour is calling for an impact assessment of different levels of GPA coverage on local authorities in the UK and of the thresholds to which they are currently signed up.

In 2014/15, UK public sector procurement was worth £191.7 billion. Of this, £68.9 billion was local government procurement and £115.5 billion was central government (including NHS) procurement. Note that these figures do not include public sector procurement from other parts of the public sector. Source: House of Commons Library.