

# TAIC open recommendations

---

## Half-yearly report

For the six months ended 31 December 2017



## 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, and the Ministry of Transport (MoT).

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.

Key points:

- The time needed to implement a safety recommendation can vary considerably. Some recommendations are aimed at modifying behaviour or processes across complex systems. That may take several years to achieve, especially if changes to legislation are required.
- In the rail sector, the NZTA and TAIC have a well-established process for monitoring safety recommendations. The CAA and MNZ continue to work 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. The CAA and MNZ have been preparing and submitting the documentation required by the Commission to close these historic recommendations.

		Recommendations issued & closed 1-Jul-17 to 31-Dec-17			Number open as at 31-Dec-17	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		4	9	9	64	58%	31%		11%
MNZ		5	3	3	45	11%	89%		
Rail	NZTA		2	2	16	6%	75%	19%	
	KiwiRail	5	3	3	11	27%	55%	18%	
	MoT				1		100%		

## Air open TAIC safety recommendations as at 31 December 2017

### 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.

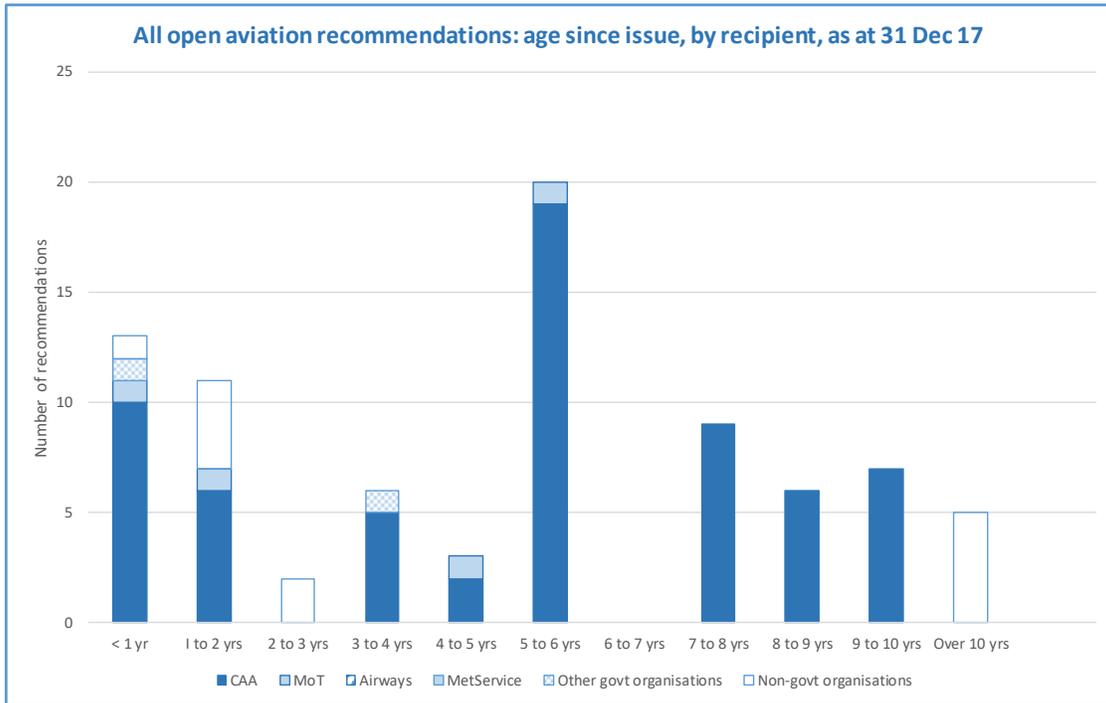
Number of open recommendations	Issued to government organisations Regulator/MoT/SOEs/other							Issued to non-government organisations	
	Total	CAA	MoT	Airways	MetService	Other govt org	Est. closure within 12 months (CAA)	Not accepted (CAA)	Total
<b>Total</b>	<b>70</b>	<b>64</b>	<b>4</b>	<b>Nil</b>	<b>Nil</b>	<b>2</b>	<b>37</b>	<b>6</b>	<b>12</b>
Operations		13					7	1	
Airworthiness		10					2	3	
Aerodromes									
Air Traffic Control									
Licensing		9					4	2	
Historic recs to submit for closure		32					24		

### Status for CAA recommendations

Following on from the previous report 30 June 2017, the CAA and the Commission continue to progress the work required to close historical recommendations. On the 26th February 2018, agreement has been reached to submit to the Commission for closure, twenty recommendations from the 32 that remain. Additionally, the CAA is actively pursuing a number of initiatives to meet the intent of a number of recent recommendations made by the Commission.

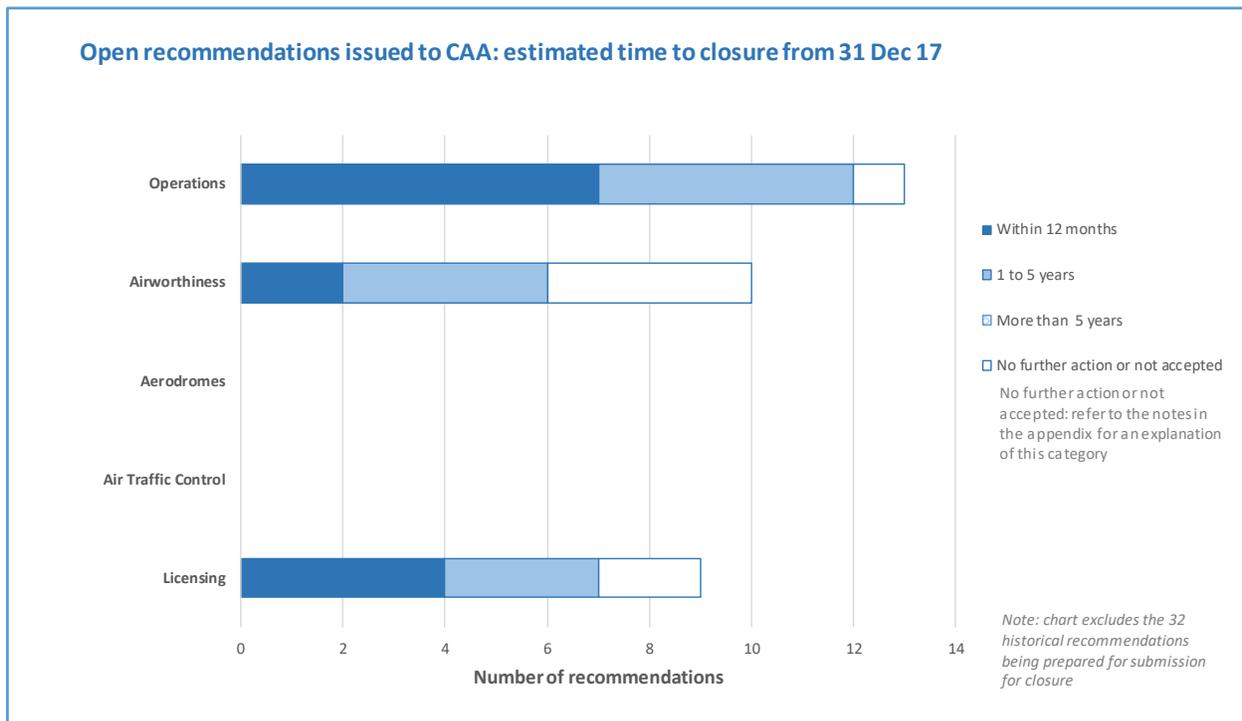
### Age of open recommendations

The graph below shows the age of all open recommendations by recipient in the aviation sector.



### Estimated time to completion for recommendations issued to CAA

The graph below shows the estimated time to implementation for the recommendations issued to CAA.



## Rail open TAIC safety recommendations as at 31 December 2017

### Summary of open recommendations

The table shows the number of open recommendations by recipient in the rail sector, shown by areas of activity.

Number of open recommendations	Issued to government organisations Regulator/MoT/SOEs/other								Issued to non-government organisations
	Total	NZTA	KiwiRail	MoT	Est. closure within 12 months (NZTA)	Est. closure within 12 months (KiwiRail)	Est. closure within 12 months (MoT)	Not accepted	Total
<b>Total</b>	<b>28</b>	<b>16</b>	<b>11</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>Nil</b>	<b>Nil</b>
Level crossings	6	6							
Impairment: drugs/alcohol/health/fatigue	5		4	1		2			
National Rail Systems Standards	5	4	1						
Fire protection	2	2							
Training deficiency	3	1	2						
Maintenance system deficiency	3	2	1						
Rolling stock safety	1		1			1			
Low adhesion	1	1			1				
Signalling safety	2		2						

### Status of recommendations assigned to the NZ Transport Agency

**National Rail System Standards (NRSS):** Three of the five oldest recommendations assigned to the NZ Transport Agency relate to the NRSS. The importance of standards to the safe and effective operation of the National Rail System is understood by the rail regulator. We are waiting for the NRSS Executive (NRSS-E) to finalise their committee membership and operating model, before they commence on a review of the standards themselves. We will be closely monitoring the progress of the NRSS-E to ensure this review is carried out, as well as investigating possibilities of how NRSS-E might be supported by standards developed by other jurisdictions.

**Level crossings:** Multiple parties are at work on improvements to level crossing safety, and progress is being made against each open level crossing recommendation. The Transport Agency in its role as the Road Controlling Authority for the State Highway network has already commenced a programme of work addressing safety issues such as short stacking distances on 90 State Highway crossings. The Transport Agency is seeking Crown funding for a national programme of work that would aim to significantly reduce risk across the network.

### Status of recommendations assigned to KiwiRail

**Impairment - drugs / alcohol / health / fatigue:** The required remedial actions for two of the four recommendations have been completed and requests have been submitted recently to TAIC seeking closure. One recommendation (O11/15) requires legislation changes to allow the disclosure of personal medical record information, and the Ministry of Transport has been approached to assist.

**Maintenance System Deficiency:** 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 the same required maintenance improvements for freight services.

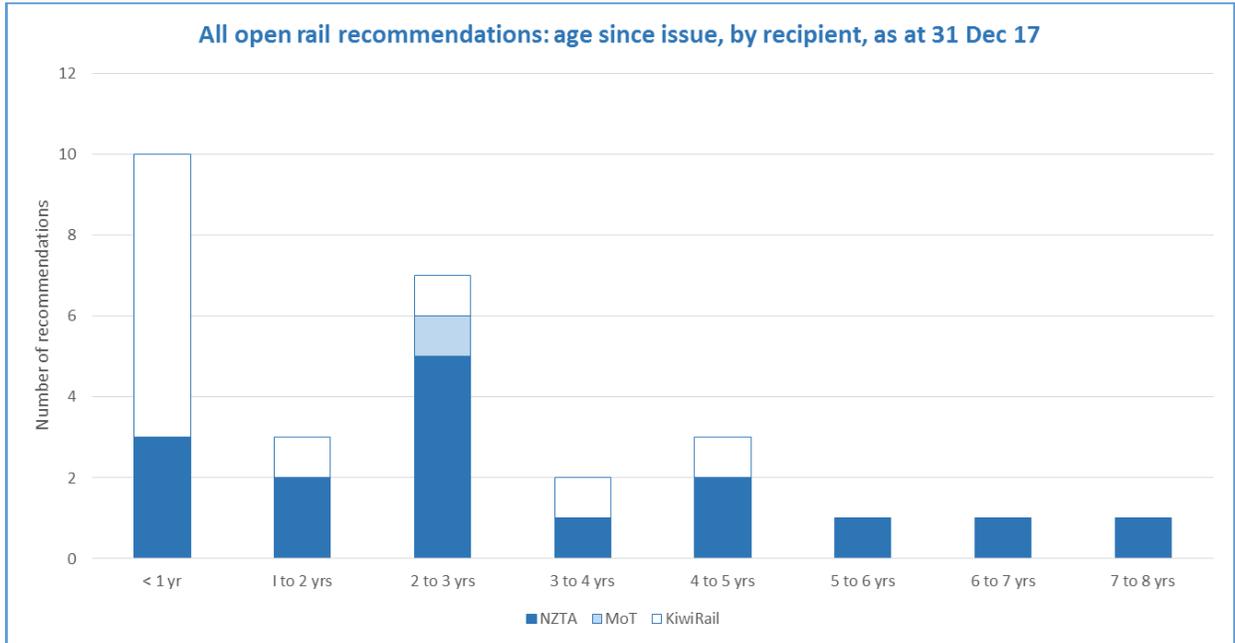
**Training Deficiency:** The training requirements have been assessed and the learning criteria and assessment programmes are being finalised prior to being delivered to the business.

### Status of recommendation assigned to Ministry of Transport

**Impairment - health:** The Ministry of Transport is re-engaging with TAIC, KiwiRail and the Transport Agency in February 2018 to identify next steps for the recommendation.

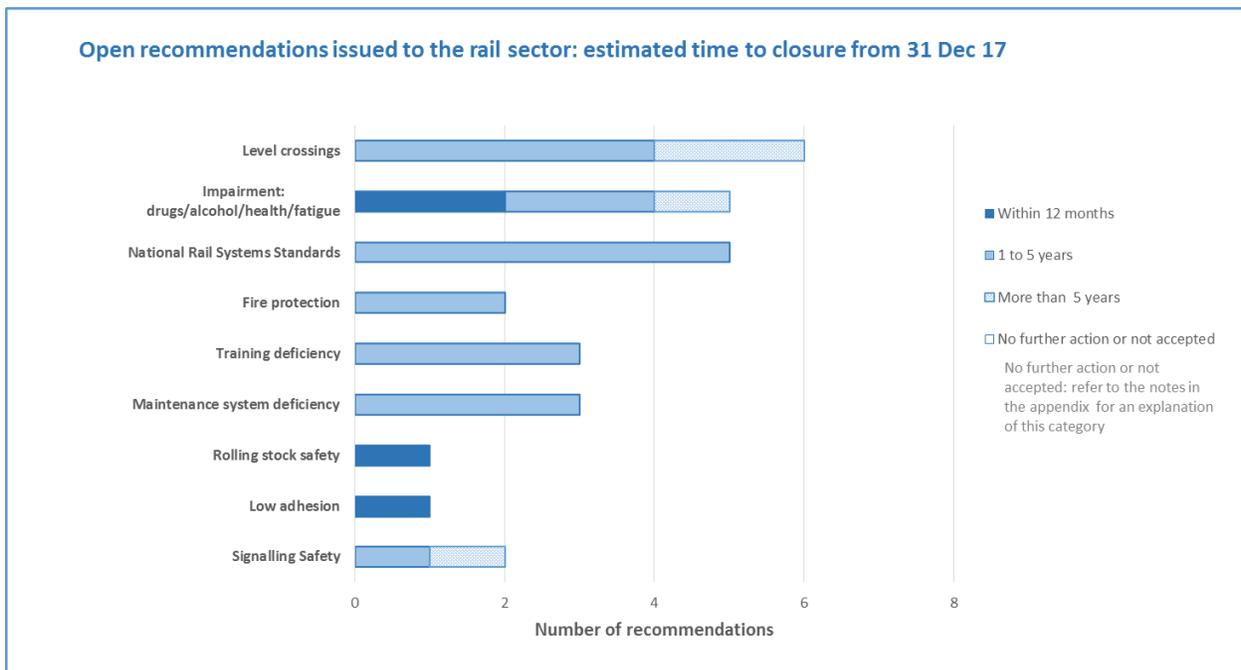
### Age of open recommendations

The graph below shows the age of all open recommendations by recipient in the rail sector.



### Estimated time to completion for recommendations

The graph below shows the estimated time to implementation for the recommendations issued to the rail sector (NZ Transport Agency, KiwiRail and the Ministry of Transport)



## Maritime open TAIC safety recommendations as at 31 December 2017

### 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
<b>Total</b>	<b>69</b>	<b>45</b>	<b>3</b>	<b>2</b>	<b>Nil</b>	<b>19</b>	<b>5</b>	<b>NIL</b>	<b>25</b>
Training or Education		8					1		
Safe Ship Management									
Maritime Rules		3					1		
Safety Management Systems		1							
Administrative		2							
Aids to Navigation		3							
Compliance		3					1		
Historic recs to submit for closure		25					2		

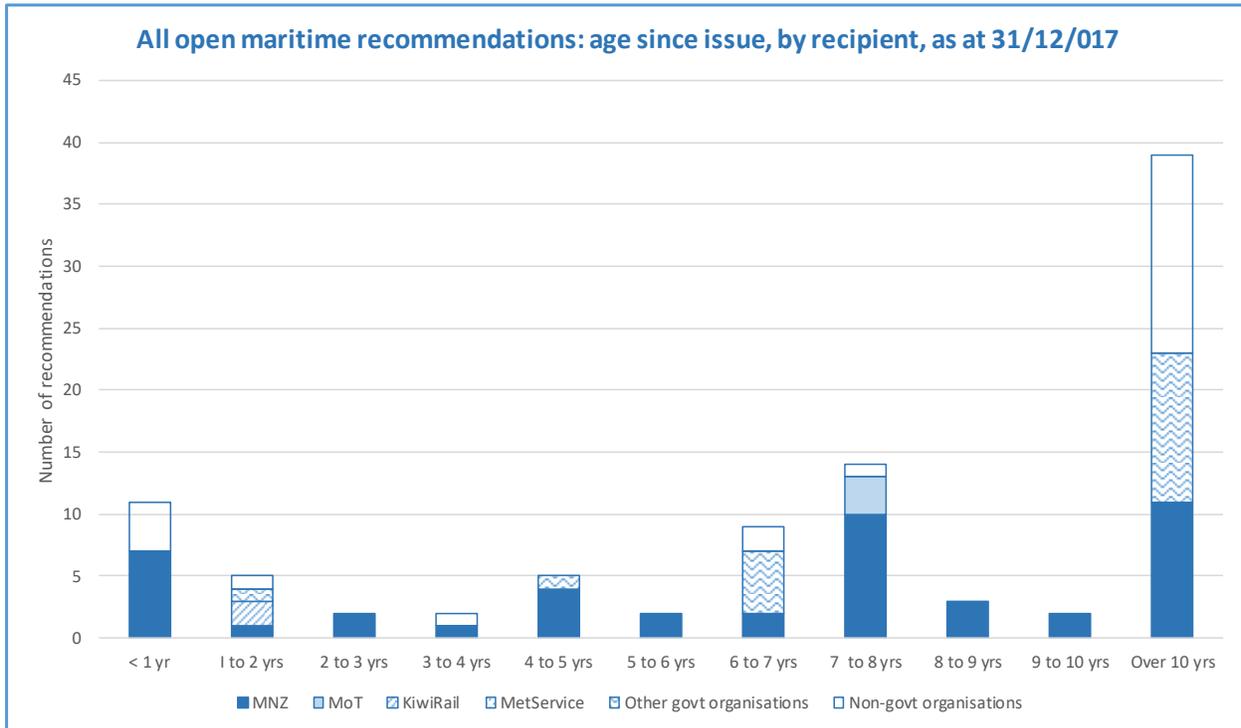
### Status for MNZ recommendations

As at 31 December 2017, 45 TAIC recommendations issued to MNZ and three to MoT were open. Over the last few months, Maritime NZ has been working with TAIC to resolve a number of historic recommendations. This resulted in 35 recommendations being submitted to the Commission for closure. The Commission accepted two of these, but has asked for further evidence to support closing the remaining 33 recommendations. Maritime NZ is considering how it will address these, taking into account the associated risk and regulatory effort.

Looking ahead, Maritime NZ is reviewing how it can improve its processes for managing recommendations from the Commission.

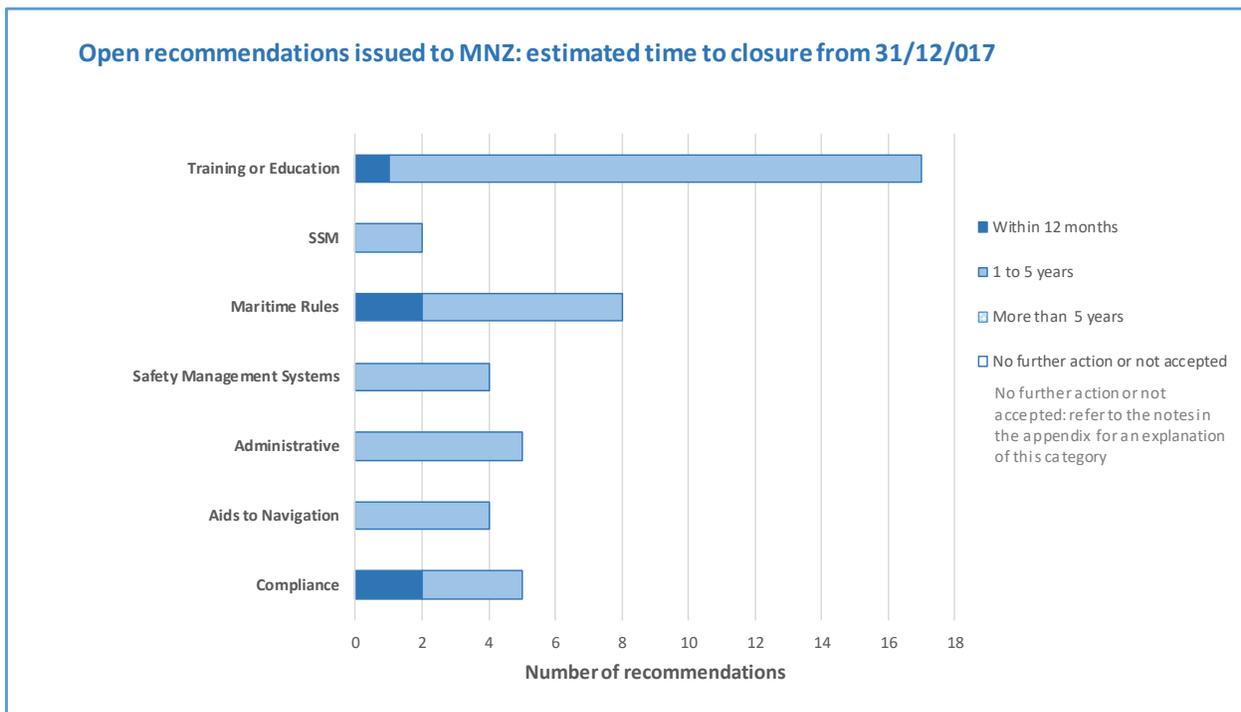
### Age of open recommendations

The graph below shows the age of all open recommendations by recipient in the maritime sector.



### Estimated time to completion for recommendations issued to MNZ

The graph below shows the estimated time to implementation 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"><li>• Open: the recipient has accepted the recommendation, but has not yet submitted a request to close it.</li><li>• Open, no acceptable action: the recipient has not accepted the recommendation, or considers it has taken sufficient action (see 'no further action' above).</li><li>• Withdrawn/cancelled: the recommendation has been withdrawn in light of further information from the recipient.</li><li>• 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.</li></ul>

### 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.