



# Safety Management System Overview – legal framework

Karen Davies  
Safety Certification



- 1. Role of SMS in Directive 2004/49/EC**
- 2. SMS requirements and basic elements**
- 3. Safety certification and authorisation**



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## Directive 2004/49/EC – Art. 4.3

- **Responsibility** for the safe operation of the railway system and the control of risks is for RU/IM
- In **co-operation** with others to apply national safety rules and standards
- Establish safety management systems

## Directive 2004/49/EC – Art. 3.(i)

- 'safety management system' means the **organisation** and **arrangements** to ensure the safe management of its operations



## Directive 2004/49/EC – Art. 9.1

*Infrastructure managers and railway undertakings shall establish their safety management systems to ensure that:*

- *CSTs are achieved;*
- *it is in conformity with the national safety rules described in Article 8 and Annex II;*
- *it confirms with safety requirements laid down in the TSIs; and*
- *the relevant parts of CSMs are applied.*



## Directive 2004/49/EC – Art. 9.2

*The safety management systems shall:*

- *meet the requirements/elements laid down in Annex III;*
- *be adapted to the character, extent and other conditions of the activity pursued; and*
- *ensure the control of all risks associated with the activity of the infrastructure manager or railway undertaking, including the supply of maintenance and material and the use of contractors.*

*Without prejudice to existing national and international liability rules, the safety management system shall also take into account, where appropriate and reasonable, the risk arising as a result of activities by other parties.*



## Directive 2004/49/EC – Art. 9.3

*The safety management systems of any infrastructure manager shall:*

- *take into account the effects of operations by different railway undertakings on the network and*
- *make provisions to allow all railway undertakings to operate in accordance with TSIs and national safety rules and with conditions laid down in their safety certificate.*
- *coordinate the emergency procedures of the infrastructure manager with all railway undertakings that operate on its infrastructure.*



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## Directive 2004/49/EC – Annex III.1

### *Requirements on the Safety Management System*

*The safety management systems must:*

- *be **documented** in all relevant parts;*
- ***describe** the distribution of **responsibilities** within the organisation of the infrastructure manager or the railway undertaking;*
- *how **control** by the management on different levels is secured;*
- *how **staff** and their representatives on all levels are **involved**; and*
- *how **continuous improvement** of the safety management system is ensured.*



## Directive 2004/49/EC – Annex III.2

*The basic elements of the Safety Management System are:*

*a) a **safety policy approved** by the organisation's **chief executive** and **communicated** to all staff;*

*b) qualitative and quantitative **targets** of the organisation for the **maintenance and enhancement of safety**, and **plans and procedures** for reaching these targets;*

*c) **procedures** to meet **existing, new and altered technical and operational standards** or other prescriptive conditions as laid down in TSIs or national safety rules referred to in Article 8 and Annex II or in other relevant rules or in authority decisions, and **procedures** to assure **compliance** with the standards and other prescriptive conditions throughout the **life-cycle** of equipment and operations;*



## Directive 2004/49/EC – Annex III.2 (cont.)

*The basic elements of the Safety Management System are:*

- d) **procedures** and methods for carrying out **risk evaluation** and implementing **risk control** measures whenever a **change** of operating conditions or new material imposes new risks on the infrastructure or on operations;*
- e) provisions of programmes for **training** of staff and systems to ensure that the staff's **competence** is maintained and tasks carried out accordingly;*
- f) arrangements for the provision of **sufficient information** within the organisation and, where appropriate, between organisations operating on the same infrastructure;*



## Directive 2004/49/EC – Annex III.2 (cont.)

*The basic elements of the Safety Management System are:*

- g) procedures and formats for how safety information is to be documented and designation of procedure for configuration control of vital safety information;*
- h) procedures to ensure that accidents, incidents, near misses and other dangerous occurrences are reported, investigated and analysed and that necessary preventive measures are taken;*
- i) provision of plans for action and alerts and information in case of emergency, agreed upon with the appropriate public authorities;*
- j) provision for recurrent internal auditing of the safety management system*



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## Directive 2004/49/EC – Art. 10.1

*The purpose of the safety certificate is to provide evidence that the railway undertaking has:*

- *established its safety management system and*
- *can meet the requirements laid down in TSIs and other relevant Community legislation and in national safety rules*

*In order to control risks and provide transport services safely on the network.*



## Directive 2004/49/EC – Art. 10.2

*The safety certificate shall comprise:*

*a) certification confirming acceptance of the railway undertaking's safety management system as described in Article 9 and Annex III **(PART A)**; and*

*b) certification confirming acceptance of the provisions adopted by the railway undertaking to meet specific requirements necessary\*\* for the safe supply of its services on the relevant network **(PART B)**.*

**\*\*These requirements may concern the application of the TSIs and national safety rules (including the network operating rules, competence of staff and management of rolling stock used by railway undertakings).**



## Directive 2004/49/EC – Art. 10.3-4

*The safety authority in the Member State where the railway undertaking first operates shall grant the certification in accordance with paragraph 2 (**PART A**) and must:*

- *specify the type and extent of the railway operations covered; and*
- *be valid throughout the Community for equivalent rail transport operations.*

*The safety authority in the Member State in which the railway undertaking is planning to operate additional rail transport services shall grant the additional national certification necessary in accordance with paragraph 2(b) (**PART B**).*





## Directive 2004/49/EC – Art. 11.1

*In order to be allowed to manage and operate a rail infrastructure the infrastructure manager must obtain a safety authorisation from the safety authority in the Member state where he is established.*

*The safety authorisation shall cover confirmation of the acceptance of the:*

*a) infrastructure manager's safety management system as described in Article 9 and Annex III, and*

*b) provisions of the infrastructure manager to meet specific requirements necessary for the **safe design, maintenance and operation** of the railway infrastructure including, where appropriate, **the maintenance and operation of the traffic control and signalling system***



# 5 – Structure of the approach to RU/IM Safety Certification

