

Safety and Security Panel



Date: 19 May 2025

Item: Enterprise Risk Update – Failure to Prevent a Significant Safety Incident or Deliver Safety Obligations (ER01)

This paper will be considered in public

1 Summary

- 1.1 This paper provides the Panel with an update on Enterprise Risk 01 – Failure to prevent a significant safety incident or deliver safety obligations (ER01) and sets out the background and rationale for resetting our approach to this risk.
- 1.2 Since the last update to the Safety, Sustainability and Human Resources Panel in November 2023, the scope of this risk has been amended. Consequently, the working group reviewing ER01 have assessed the risk against its new definition and the overall risk score has reduced from High to Medium, reflecting a lower likelihood of ER01 materialising following its change in scope. The overall control effectiveness rating remains Requires Improvement pending evidence of the effectiveness of recent changes to controls managing the risk of ER01.
- 1.3 A paper is included on Part 2 of the agenda which contains supplementary information that is exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 in that it contains information relating to the financial or business affairs of TfL. Any discussion of that exempt information must take place after the press and public have been excluded from the meeting.

2 Recommendation

- 2.1 **The Panel is asked to note the paper and the exempt supplementary information on Part 2 of the agenda.**

3 Background and Context

- 3.1 ER01 has been amended to focus on the risk of TfL failing to prevent or effectively respond to significant safety incidents, reflecting the overall importance we place on running a safe and compliant transport network. ER01 therefore no longer assesses the risk of TfL failing to meet its ambitious Vision Zero policy targets, which go significantly beyond our legal accountabilities, as their inclusion was distorting the assessment of safety as an Enterprise Risk. We do, however, remain absolutely committed to meeting our Vision Zero policy goals and these are assessed and tracked through our safety governance processes and will be discussed at future meetings of this Panel.
- 3.2 The change in focus has led to updates to its description, Responsible Managers, causes, consequences and Risk Appetite Statement, details of which are included

in the paper on Part 2 of the agenda. This change in scope is also the primary reason for the risk's Overall Risk Score decreasing from High to Medium.

- 3.3 This review of ER01 has involved going back to first principles, considering how likely the risk is to materialise and how effectively we are mitigating against it.

4 Current Status

Overall Risk Assessment

- 4.1 ER01 is described as the 'Failure to prevent, or effectively respond to, an incident resulting in multiple casualties causing significant harm to customers or colleagues, disruption to service, operational and capital spend, regulatory action leading to fines', with relevant senior leaders across Operations, Capital and Safety, Health and Environment named as Responsible Managers for the risk.
- 4.2 The key potential causes if the risk were to materialise include unsafe asset design or asset failure, inadequate rules or safe systems, lack of compliance and assurance oversight, and poor safety culture, and span the breadth of TfL's activities including rail services, on-street operations, and construction and engineering activities. Key potential consequences include multiple deaths or injuries and regulatory action.
- 4.3 The probability of ER01 materialising is assessed to be Very Low (lowered from High) following the change in scope and consideration of the effectiveness of mitigations and injury and risk model data. The impact of ER01 remains Very High, since by definition it involves multiple casualties and/or regulatory action. Therefore, the overall risk score is assessed as Medium. The target overall risk score for ER01 is also assessed as Medium, reflecting that the risk probability is already in the lowest possible Enterprise Risk category and that the consequences will always be very serious.

Controls and Actions

- 4.4 Using the Safe System framework, a hierarchy of controls for ER01 has been identified, which result in: safe places; safe infrastructure; safe operations; (safe behaviours; and effective post-incident response and learning.
- 4.5 Six fundamental areas of control are identified in this framework as being critical to managing the risk of ER01. Individual controls have been identified in each of these six areas, which cover specific mitigation activities.
- 4.6 The hierarchy of controls for ER01 covers the following six areas:
- (a) assets are designed and maintained to required safety standards – with specific controls covering asset design and construction, and asset condition and fault rectification;
 - (b) directly operated services are delivered in compliance with operational rulebooks and procedures – with specific controls covering rules and operating procedures, and preparedness and recovery planning;

- (c) all our contracts with contracted service operators and our wider supply chain must be delivered in accordance with safety requirements set out in contracts, and contracts used to supervise and assure that these standards are being met – with a specific control on supplier and concessionaire management;
 - (d) an effective regime of first, second and third line assurance – with specific controls covering different levels;
 - (e) we must have a positive safety culture across all parts and throughout all levels of TfL – with specific controls covering safety culture and leadership, communication and consultation, competence and training, and effective governance and action tracking; and
 - (f) we work continuously to learn from the past and improve our safety systems to reduce risk – with specific controls covering performance management and tracking, investigations and lessons learnt, and targeting of known key risks.
- 4.7 The top three specific controls identified as the key mitigations focus on the areas of asset condition monitoring and management, safety culture and leadership, and effective first line assurance.
- 4.8 The design and operational effectiveness of each individual control has been assessed, considering recent milestones in the delivery of risk management workstreams, as well as changes implemented following the 2024 independent review of TfL's safety governance and decision making. The overall control effectiveness of ER01 continues to be rated as Requires Improvement, recognising that recent improvements have been made but that further evidence is required to confirm the effectiveness of these changes.
- 4.9 Actions have been identified to improve the effectiveness of controls currently assessed as either ineffective or partially effective. Key improvement actions for ER01 are in the areas of asset condition and maintenance, assurance and compliance, and safety leadership.
- 4.10 Full details of identified controls and corresponding improvement actions for ER01, including owners, effectiveness ratings and action due dates, are set out in the Appendix to the paper on Part 2 of the agenda.

List of appendices to this report:

None

A paper containing exempt supplementary information is included on Part 2 of the agenda

List of Background Papers:

None

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