

# ONRSR Compliance audits – rail transport operator responsibilities

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This document provides guidance on rail transport operator responsibilities in relation to Office of the National Rail Safety Regulator (ONRSR) compliance audits conducted under the *Rail Safety National Law (RSNL)*.

## Background

This fact sheet should be read in conjunction with the *ONRSR Compliance audit policy*.

A key activity of the ONRSR, carried out by rail safety officers, is the conduct of compliance audits as a means of checking and monitoring the implementation, application and effectiveness of a rail transport operator's safety management system. Compliance audits also allow rail safety officers to provide formal regulatory advice, where necessary, as to whether a rail transport operator is complying with its rail safety duties and legislative obligations under the RSNL and in particular, adhering to the operator's safety management system.

The frequency of compliance audits will be determined through a risk-based approach.

Registered managers of private sidings,

contractors undertaking rail safety work and those operators holding exemptions from the ONRSR will also be audited.

## Rail transport operator responsibilities

It is the responsibility of the operator to:

- ensure that any person required to be in attendance at the compliance audit is available to attend, that any documentation required is available, and that any site to be visited is accessible;
- ensure that the lead rail safety officer is advised well prior to the compliance audit date of any PPE required for the site at which the compliance audit will be conducted;
- ensure that a site safety briefing is provided to the compliance audit team for any rail premises to be entered (usually part of the opening meeting);
- provide any information requested by the compliance audit team;

- provide access to any infrastructure and/or rolling stock requested by the compliance audit team;
- provide reasonable assistance to the compliance audit team in carrying out their duties;
- provide, in a timely manner, any further information requested by rail safety officers after the compliance audit; and
- actively work towards the closure of any non-conformances identified in the compliance audit report and address any other regulatory actions that may be an outcome from the compliance audit, such as improvement notices or prohibition notices.

be required before the rail safety officer will consider changing the report.

It is not appropriate to comment on the report's writing style, or that a finding is unsubstantiated without providing evidence to support this assertion.

### **Rail transport operator rights regarding compliance audits**

Operators have the right to see the identity card showing the appointment of the rail safety officer who is conducting a compliance audit under the RSNL.

Operators have the right to be provided with a preliminary compliance audit report and to make comments in writing on any factual inaccuracies within the document, accompanied by supporting evidence. Comments must not seek to influence or change the report.

For example, it would be appropriate to comment where the operator's safety management system has been misquoted, or where a description of rail infrastructure is incorrect. Supporting evidence will