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Document Review – Comment Sheet

Document commented: Common Safety Methods on the assessment of Safety Level and Safety Performance of railway operators at national and Union level (CSM ASLP)

<i>Requestor:</i>	Consultation.ERA1219@era.europa.eu
<i>Deadline for submitting comments:</i>	17 March 2021

	<i>Reviewer 1</i>	<i>Reviewer 2</i>	<i>Reviewer 3</i>	<i>Reviewer 4</i>	<i>Reviewer 5</i>
<i>Date:</i>	16 March 2021				
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Document History

<i>Version</i>	<i>Date</i>	<i>Comments</i>
0.1		
0.2		
0.3		

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Conventions:

<i>Type of Comment</i>		<i>Reply by requestor</i>	
<i>G</i>	General	<i>R</i>	Rejected
<i>M</i>	Mistake	<i>A</i>	Accepted
<i>U</i>	Understanding	<i>D</i>	Discussion necessary
<i>P</i>	Proposal	<i>NWC</i>	Noted without need to change

Review Comments <if necessary add extra lines in the table>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
1	CSM in general (including impact assessment)	G	EIM	<p>We consider the achievement of the purpose and objectives described in the CSM to be more limited than the predicted benefits shown in the impact assessment. This is the result from limits in collective learning due to the different context of the IM's and RU's safety management systems. This especially applies to the selection and implementation of RCM. For supporting arguments to the limits of collective learning, EIM has references available from research and science.</p> <p>These limits in collective learning are not sufficiently addressed in the Impact Assessment resulting in uncertainties regarding the achieved benefits. We therefore propose to improve the IA on this aspect by making explicit through what elements of learning, proposals and safety improvements benefits can be achieved that would justify the current evaluation of benefits (based on an overall assumption of reduced accident-related costs).</p>	NWC	A number of examples of the possible benefits are elaborated in the impact assessment building on the Big Picture document. These examples are drawn from available studies in the railway and transport sectors as well as other safety-critical industries. Moreover, an annex has been introduced in the final version of the IA report providing further information on the collective learning processes and their importance.

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
2	Recital (3)	P	EIM	<p><i>“The overall purpose of these common safety methods is to provide assistance to the railway undertakings and infrastructure managers for improving their safety management ...”</i></p> <p>Any proposal to harmonize the safety management of operators would need to take their specific context into account to evaluate the costs and benefits as part of the impact assessment.</p> <p>Also, the impact assessment assumes cost saving for operators on resources devoted to auditing and monitoring. We do not agree as our auditing and monitoring is targeted at the operator’s specific operation and cannot rely on aggregated union level data.</p> <p>We propose to adapt the impact assessment on this.</p>	NWC	<p>Overall, the CSM ASLP does not propose to harmonise the safety management of operators beyond the elements included in the recommendation (notably use of common taxonomy for reporting). For all other elements the SMS can remain unchanged but operators can exchange on an improved basis and learn / adapt their systems when they consider it relevant.</p> <p>This is noted, but there may nevertheless be potential for learning and improvements.</p>
3	Recital (26)	P	EIM	<p><i>“Railway staff reporting on their own initiative and not through the established channels in their organisation may be discouraged from reporting occurrences by the fear of self-incrimination and the potential consequences in terms of prosecution before judicial authorities.”</i></p> <p>This is an isolated observation/opinion without indicating the relation with the CSM. It would be expected to hold some description of how the CSM deals with the observation. Is it intended to combine with recital 27?</p>	NWC	<p>Recitals 26, 27, 28 reflect the provisions of Annex VI general Part, point 2. Principle of information source protection and point 3. Measures ensuring information source protection</p>

4	Recital (30) and art. 11	G, P	EIM	<p><i>“... based on the experience gained with the first implementation phases, it may be amended or supplemented within the limits of the later decision.”</i></p> <p><i>“7. The Regulation shall apply in its entirety from [date of full application].”</i></p> <p>We welcome that experience gained in the first implementation phases is used for possible amendments of the CSM.</p> <p>We propose that this principle to the phased approach must be applied consistently for every substantial addition to the CSM after the first phase. This means that the REX for the/each current phase as well as the updated estimation of costs/benefits (impact assessment) for the next phase must justify the decision to proceed to the next phase ('gateway-principle').</p> <p>As a consequence we propose to remove all text from the CSM that is not within the scope of the 1st phase including especially any fixed date for the start of subsequent phases (including full application).</p> <p>This should not be understood to keep the CSM limited to the first phase and then stop. But it should ensure a proper basis for any scope extension after the first phase. We refer to the included CER/EIM CSM ASLP Position Paper (febr 2021) for justification.</p> <p> 20210205 CER EIM position on the CSM /</p>	A	Conditional phased approach integrated in re-drafted Article 11
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<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
5	Art 2 (and other instances in the CSM)	U, P	EIM	<p><i>In the CSM occurrence scenario's with related events and risk control measures</i> is referring to the past and to what is implemented and has happened.</p> <p>According to dictionaries 'scenario' is also defined (and indeed be used as such in practice) as: "<i>a description of possible actions or events in the future</i>" or "<i>one of several possible situations that could exist in the future</i>". Thus referring more to pro-active risk analysis than retro-active occurrence reporting in the context of this regulation.</p> <p>Proposal: clarify or define the use the word "<i>scenario</i>" in the CSM ASLP.</p>	NWC	<p>For the CSM is considered as commonly understood by safety experts and the Appendix C defines what is expected under occurrence scenario reporting.</p> <p>We believe that further explanations can be provided in a guide or a future definition by the GoA, if 1st phase experience shows it is necessary.</p>

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
6	Art 3.j)	P	EIM	<p><i>“ ‘significant consequence event’ means an event resulting in at least one seriously injured person, or in damage to stock, track, other installation or environment that is equivalent to EUR 150 000 or more.”</i></p> <p>We note that, compared to previous drafts, that ‘one killed person’ is not in the definition of significant consequence event anymore. We consider that ok as it resolves the redundancy with the definition for serious consequent event.</p> <p>Additionally we propose to include a clarification in the CSM (e.g. in the recitals) why and how the definitions of serious and significant accident in the RSD are not used and how that increases the scope.</p> <p>Also, we propose to review the figure for the costs of damage in the definition of the significant consequence event. The value of EUR 150.000 is too low to be in line with the value of serious injury and with the value of most events that are not serious. We propose to set this value at EUR 600.000.</p>	R	The proposal is not aligned with the RSD concerning significant damage, thus not aligned with significant accidents.

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
7	Art 3.o)	U, P	EIM	<p>“ ‘railway operator(s) involved in an occurrence’ means railway operator(s) managing the railway infrastructure on which the considered occurrence takes place ...”</p> <p>This description would mean that an IM is involved with all occurrences, and so, must always report, also e.g. when occurrence related to a train/vehicle and not related to infrastructure. We propose to base the definition of ‘involved operator’ on having a role in the control of the RCM that should have prevented the occurrence and/or on being impacted by the occurrence and therefore should contribute to reporting consequences (e.g. damages).</p>	R	<p>Actually we believe that an IM is actually involved, by default, on every accident/incident occurring on its infrastructure.</p> <p>It may be the case that the IM is not involved in the cause leading to the accident, but this can only be known if the IM reports and potentially confirms other reports made by RUs.</p> <p>The IM reporting is also necessary in every case for its assessments.</p> <p>For a practical perspective your proposal would lead to uncertain result and potential loss of important information from the IM</p> <p>Your proposal may lead to a situation where safety information are not reported by the IM simply because the IM feels not concerned by some accidents/incidents occurring on its infrastructure.</p> <p>It seems also in contradiction with the ‘shared system’ philosophy of RSD.</p>
8	Art 5.1	M, P	EIM	<p>“... provide each railway operators ...”</p> <p>Typo; change e.g. to ‘each railway operator’.</p>	A	Corrected.

9	Art 5.1	U, P	EIM	<p><i>“Before proceeding to the assessment of safety level and safety performance, the Agency shall ask in due time each concerned railway operator to confirm the data and information to be considered valid for the reporting period that shall be subject to estimation and assessment steps. For this purpose, the Agency shall provide each railway operators with access to all the information applicable to it for the considered reporting period.”</i></p> <p>An operator can only take responsibility for the data that that operator itself shared. What if other entities shared data that become part of the estimation and assessment steps impacting the operator? This is not clear from art 5 nor from Annex VI – Part D.</p> <p>Also, this article only makes sense if there could be a situation that the operator cannot yet confirm e.g. because of identified mistakes or omissions. Then modification of data should take place. This part of the process should be described as well in art. 5 and in Annex VI – Part D.</p> <p>A specific example of not yet able to confirm would be the identification of events as (attempted) suicides. It may take up to 6 months before the (attempted) suicide is confirmed and if not confirmed will be recorded as trespass (accident involving rolling stock in motion). We propose to be able to indicate at the (request for) validation for which occurrences this is the case. These occurrences should not be included in the SL estimation.</p>	NWC / D	<p>In the discussions on the CSM ASLP it was indicated that a high reporting accuracy can be achieved within 72 hours after an event occurs.</p> <p>Moreover, the CSM ASLP allows for the validation of the provided information up to 1 month and also allows for corrections.</p> <p>If for some event types there is a higher risk of reporting inaccuracies, it shall be part of any discussion in the concerned subgroups, including on how the SL estimation should handle such data.</p>
10	Art 7 item 4 and 7	U, P	EIM	<p><i>Per art 7.4 the Agency provides a common digital interface (CDI). Per art 7.7 an operator may request</i></p>	NWC	

			<p><i>the Agency to interface an existing system with the CDI of the ISS and to bear any costs related to that request.</i></p> <p>We interpret these costs to bear as being related to the operator needing to adapt its internal systems to the interface-specification. If not correct, please make the text more explicit.</p> <p>Since these costs are a consequence of the CSM ASLP obligations, they should also be included in the IA. We assume these costs are indicated in the IA as the one-off and on-going costs for setting up and maintaining the interfaces to the ISS. On p.49 these costs for the operators are mentioned as EUR 0.5 mln and 0.2 mln respectively. It is however not clear if these costs apply to 1 operator, to 10 operators (see number in the Annex EcoEv 1) or to 1200 operators (see number in the Annex EcoEv 1). It seems that the figures were calculated based on 10 operators, but we believe they should be applied to 1200 – 10 = 1190 operators. And in that latter case, the mentioned total costs of 0.5 mln and 0.2 mln are way too low. Also, what is the source for the figure of 1200 operators (how established)? We propose to update the IA and make the estimation and its assumptions much more explicit and transparent.</p>	<p>The number of 10 operators is an assumption based on the information gathered from the recent DNV study (2015). Essentially, it is assumed that 10 countries would retain their National Occurrence Reporting system (the number of countries with a comprehensive NOR system). Furthermore, it would be assumed that each of these systems would involve 2 interfaces (1 for the Agency and 1 for the railway operators in the country). These interface costs (one-off and ongoing) have been apportioned evenly between NSAs and operators – hence the 500 K EUR for NSAs and 500 K EUR for operators. These costs are associated with facilitating the indirect reporting channel. In the final IA report this element has been revisited and updated, in particular it is now assumed that 15 countries would choose to use the indirect reporting channel.</p> <p>Figure of 1200 operators: The assumption concerning number of railway operators is based on several sources, notably ERADIS and IRG Rail. According to ERADIS there are some 870 valid Part A safety certificates and 100+ SSC, see this link: https://eradis.era.europa.eu/safety_docs/scert/statistics_all_valid.aspx. This would suggest a rough number of RUs to be approx. 1000 (from this number you would need to subtract now RUs from the UK due to Brexit). These numbers are confirmed by IRG Rail, see their recent marketing monitoring report (from 2020) which includes information on the number of railway undertakings: 1001, see this link: https://www.irg-rail.eu/download/5/722/IRG8thMMReport-Dataset-final.xlsx</p>
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						<p>In addition, the infrastructure managers would need to be added – minimum 1 IM per country. However, in some countries there are higher numbers of IMs, e.g. in Sweden. In general, the main IMs are responsible for more than 90% of the railway network, see this link: https://www.irg-rail.eu/download/5/387/IRG-Rail-2015FifthAnnualMarketMonitoringReport.pdf (see section 1.3.1). It is likely that some of the small IMs would not be covered by the Safety Directive (Article 2), in Denmark there are 6 IMs with a safety authorization. Therefore, the number of 1200 represents an upper limit for the number of railway operators (RUs and IMs) for which the CSM ASLP would apply.</p>
11	Art 7.9	U, P	EIM	<p><i>“Independently from the chosen communication channel – direct - or - indirect - each railway operator shall be responsible for the validity of the data and information they share with the Information Sharing System.”</i></p> <p>The operator can only be held responsible for the validity of data that it sends directly to another party/system. If the other party/system is sharing that data with the ISS, the operator cannot be held responsible anymore for that transfer (and thus validity) of data (with the exception of parties that are contracted by the operator to act on their behalf). This applies in particular for indirect reporting by the operator through the NSA and their system(s). The CSM text should be adapted to reflect this properly.</p>	NWC	<p>The CSM clearly indicate the responsibility of the Operator. In case of indirect channel the NSA would act actually as a sub-contractor.</p> <p>In any case the Operators are asked for a validation at the end of the process, therefore any discrepancy can be corrected by the operator also at this time.</p>

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
12	Art 7.10	P	EIM	<p><i>"The Agency shall not be responsible for any malfunction of indirect communications and, if necessary, the data and information retained in the Information Sharing System shall be considered as the valid reference for implementing this Regulation."</i></p> <p>Only as far as that data/information was validated by the operator. Therefore proposal to adapt to "... retained in the Information Sharing System and validated by the operators shall be ...".</p>	NWC	<p>The sentence aims at ensuring the traceability of any information, it has no influence on the validation step by operators.</p> <p>Both validated information by operators and other information will be treated in this way.</p>
13	Art 7.12	P	EIM	<p><i>"When applicable, modifications of data and information retained in the Information Sharing System are notified to the connected systems which should be then updated accordingly to ensure full consistency with the Information Sharing System."</i></p> <p>Notifying 'the connected systems' likely is too broad i.c. not appropriate depending on the modification and which entity should be informed. E.g. on an EU level, would any modification of data/information by any entity lead to notification of all connected systems? This could lead to unworkable number of notifications for a single operator. For an operator the notifications are relevant only when another entity is adding or modifying data that relates to the involved operator(s). It is then up to the involved operator to decide if it is appropriate to update their own system(s). Proposal to make this requirement more particular.</p>	NWC	<p>This Article has the objective of sharing relevant information and in fact cover this point of your comment</p> <p>"For an operator the notifications are relevant only when another entity is adding or modifying data that relates to the involved operator(s)"</p> <p>The sharing rules are made particular already by the Appendix D (former Annex VI).</p>

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
14	Art 11.	P	EIM	<p><i>Although there are no dates in art 11, the working party work plan provides provisional dates for the start of first phase CSM application with the temporary IT tool and start of second phase CSM application with the ISS.</i></p> <p>The EIM members (as well as other operators and possibly NSA's) need to prepare their reporting processes (data, staff, process, systems) for direct or indirect reporting with associated costs and time depending on the interface specification.</p> <p>For the 1st phase the interface specification of the temporary IT tool needs to be known up to 6 months (depending on the characteristics of the IT tool) before the reporting obligations apply.</p> <p>For the use of the ISS the time between release of ISS interface specifications and start of the reporting obligations should be at least 24 months. This is to ensure sufficient time for budgeting, contracting, system adaptations/testing etc.</p>	A	<p>This timing corresponding to the one foreseen by the work plan already published on Extranet.</p> <p>The assurance of ISS applicability is given by the involvement of GoA with lesson learned with the ISS test version. The full ISS version will then apply only when a second recommendation, considering proposals from the GoA is adopted.</p> <p>Article 11 has been redrafted to set such conditional phasing, as you propose, in addition to the clarification of the GoA involvement in phasing.</p>
15	Art 11.3	M	EIM	<p><i>"This Regulation shall apply from [date] with the exclusion of Article 4(1)(b) and Article 5, which shall not be implemented before the date referred to in Article 11(10)."</i></p> <p>There is no article 11(10). Likely article 11(7) is intended.</p>	A	Coorrected with the redrafting of article 11.

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
16	Art 11.3	P	EIM	<p>“... an immediately available solution provided by the Agency, not requiring specific IT developments ...”</p> <p>Also for the first phase of CSM implementation, some practical form of user-interface should be established to be able to report the required data and information for reasons of practicability and quality (preventing errors/ambiguity), e.g. some form of web-application. The text ‘not requiring specific IT developments’ seems to exclude a proper user-interface specific to the 1st phase reporting requirements. We therefore propose to adapt art 11.3. to ‘ ... an immediately available solution with a suitable user-interface provided by the Agency not requiring substantial IT developments ...’.</p> <p>Also, since even the use of the ‘immediately available IT solution’ will bring (some) costs to operators (and NSA’s and ERA), the Impact Assessment should be explicit on the this.</p>	NWC	<p>If is foreseen that the temporary IT solution is as simple as possible, mainly based on the reporting of the datasets already defined in the proposal.</p> <p>The reporting allowed may just be to send an email with the corresponding datasets.</p> <p>This work will in fact imply the same activity as if it would be done by the future ISS.</p> <p>It means that the work to be mad by the operators is mainly, and first to filter their existing data and to provide them into the datasets format required by the CSM. This is not depending on the phase, as the datasets are already known.</p>
17	Art 11.3	U	EIM	<p>“... for each type of operation defined by Article 3(31) of Directive (EU) 2016/798, ...”</p> <p>Is it appropriate to refer to art 3(31) of (EU) 2016/798 for each type of operation? Since it is not clear if they match with those of CSM Annex VI - Part B?</p>	NWC	It is matching

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
18	Art 11.5	P	EIM	<p><i>"The Agency shall make available on-line a test version of the Information Sharing System before [date] and an updated version, consistent with the applicable versions of the Appendices to this Regulation before [date]."</i></p> <p>We consider this article more like a development-milestone and therefore propose to remove it from the CSM.</p>	A	<p>We agree to amend the sentence with '1st version' instead of 'on-line test version'.</p> <p>This milestone is an important step to facilitate the introducing of the final ISS version and to allow the GoA to learn and propose possible adaptations of the full version, for the next phase.</p>
19	Art 11.6	U, P	EIM	<p><i>"The entities requested to share data and information in accordance with this Regulation shall be registered and connected with the Information Sharing System before [date]."</i></p> <p>This should also hold for the temporary IT solution.</p>	A	Article 11 amended.
20	Annex I – GP – 1.4(e) and (f)	U, P	EIM	<p><i>"... mandatorily reported in accordance with the sharing request specified in the corresponding Annex;"</i></p> <p>Which is 'the corresponding Annex'? If possible, please specify explicitly (as done for the other sharing requests of section 1.4).</p>	A	New article 4 is specific and refers to applicable Appendix.

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
21	Annex I – GP – 1.4(h)	U, P	EIM	<p>“ <i>Voluntary reporting</i>’ (VR) means that a sharing of data or information is voluntary implemented by one of the entities listed in Annex VI.”</p> <p>The reporting modes SR, SOR, DR, DOR, RRCM, ROS and ROV are specified in terms of data sets and sharing requests as referenced in 1.4 (a) – (g). But the reporting mode VR is not although it is already in use for event A-7 (see Annex I – Part A). This may be a result of the fact the VR is not actually a reporting mode but only the indication of the reporting being mandatory or voluntary.</p> <p>If the operator wants to use a format for voluntary reporting it could be an option to indicate ‘VSR’ (Voluntary Simple Reporting) and ‘VDR’ (Voluntary Detailed Reporting) and refer to the data-sets for SR and DR. But since the reporting is voluntary, we believe the operators should be free to apply the format fully or partially.</p>	A	<p>Voluntary reporting introduced by Article 2, not specifying which information is to be reported.</p> <p>Use of ISS for voluntary reporting clarified in Article 7.5.</p> <p>New Article 4 “Any other accident or incident that are not mandatorily reportable in accordance with the previous points a), b) , c) and d) <u>may be shared voluntarily</u> by the railway operator, using the reporting datasets defined in Appendix A”</p>
22	Annex I – GP – 3.1.2	U, P	EIM	<p>“<i>If yes, please complement your report in accordance with applicable Transport of Dangerous Goods legislation.</i>”</p> <p>Does the TDG legislation or the CSM specify any format to use when ‘complement your report’? Please indicate when a format must be used.</p>	NWC	<p>Yes, Chapter 1.8.5, The format is the one specified by TDG legislation.</p> <p>Out of CSM scope.</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
23	Annex I – GP – 3.2.2	M, P	EIM	The heading-row is missing in the table. Please add.	D	Every sharing requests are replaced by Article 4 in agreement with the WP9 meeting, confirmed by the meeting with the NSA network. It simplifies the whole Annex I, as integrated in Appendix A, only focussing on datasets. The detailed sharing requests may be moved into Appendix D, or in guides. The generic sharing request is defined as a basis in Appendix D – Part C (former Annex VI – Part C)
24	Annex I – GP – 3.2.2	P	EIM	In the cell for the Sharing deadline / Parameter value, the following text (copied from the table in section 5.2.2) is missing: <i>“At this time, each involved railway operator is required to report the data and information available, knowing that further updates and complements are allowed in accordance with Article 7.11”</i> This text should be added, since it also holds for the SR data (especially for the deemed cause(s) of the reported occurrence, that may not be directly known.	D A	See previous answer. <i>Sentence “After the reporting deadlines indicated in Article 4(2) to 4(5), each involved railway operator is entitled to provide further reporting updates, complements and corrections in accordance with Article 7.10.” is added in new Article 4.4 as a general rule.</i> With the new drafting 7.11 becomes 7.10
25	Annex I – GP – 3.2.2	U	EIM	<i>Regarding the 72 h for the sharing deadline.</i> It should be understood that the ‘72 h’ is reasonable only after when operator knows about the event. Also, when for the 1st phase manual and indirect reporting is applied, this could take more time than 72 h.	NWC	We consider this possibility is covered by previous answer.

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
26	Annex I – GP – 3.2.2	U, P	EIM	<p>Comment at Sharing deadline says: <i>“(Category A events other than with serious or significant consequence and other event categories may be subject to grouped simple reporting at the end of the reporting period)”</i></p> <p>The table Annex I – Part A specifies SR and DR for ‘Other accidents’. Could e.g. track-worker accidents not related to vehicles in motion and platform accidents not related to vehicles in motion (like trips and falls) be in the scope of such ‘other accidents’?. Quite a number of these occurrences could have persons with serious injuries and thus falling in the group of significant consequence events. Such categories of events should be allowed to be subject to grouped simple reporting to remain practicable and cost-efficient.</p>	NWC D	<p>For the first phase only serious accidents are reportable, meaning at least one fatality or five or more seriously injured persons.</p> <p>Further adaptation for the next phases can be proposed by the GoA. We suggest to learn from the 1st phase in this respect, after discussion with GoA</p>
27	Annex I – GP – 5.1.2	P	EIM	<p>The table has data items “Occurrence context” and “Consequences”.</p> <p>For consistency use “Occurrence consequences”.</p>	A	corrected
28	Annex I – GP – 5.1.2.1 and 5.1.2.2	P	EIM	Unless there is a specific reason to apply words in full capitals, use lower-case.	NWC	Will be reformatted in accordance with applicable norm before publication in official journal.
29	Annex I – GP – 5.1.2.1	U, P	EIM	<p>At location details the applicable parameter/values say “in tunnel”, “on a bridge” and “level crossing”.</p> <p>For consistency either use “tunnel”, “bridge”, “level crossing” or “in a tunnel”, “on a bridge”, “at a level crossing”. Note that the difference in meaning for reporting category A events (accidents) or category B events (e.g. technical failures).</p>	A	Amended

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
30	Annex I – GP – 5.1.2.1	U	EIM	The data item “Light conditions – daylight – twilight – darkness” seem to indicate sunlight or its absence. Which ‘light’ is meant by ‘Light lit’ and ‘Light unlit’ as parameters for Data-item ‘Darkness’?	NWC	li is covering both Sun light and Equipment lights (lit - unlit)
31	Annex I – GP – 5.1.2.2	U, P	EIM	The data-item “Damage to the environment” holds as parameters/values ‘air / water / soil pollution’ but the comments says for all options ‘estimated volume of pollutant released’. To prevent ambiguity, two data parameters could be used: ‘estimated volume of pollutant released’ and ‘the polluted medium (with options air, water, soil)’.	NWC	We have examples that one release can result in one part of the volume in Air and another part in Soil. This structure allows to capture one or multiple pollutions situations with one or more releases.
32	Annex I – GP – 5.1.2.2	U, P	EIM	At the data item ‘damage to the railway infrastructure’ what does the parameter ‘total length of track damaged’ mean compared to the other parameters (length of rails / substructure / superstructure damaged)? Please make explicit in the comments field.	A	Clarified
33	Annex I – GP – 5.2.2	M, P	EIM	The heading-row of the table is missing. Please add.	A	done

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
34	Annex I – GP – 5.2.2	U, P	EIM	<p>What is the meaning of the data item 'Targeted data set'? Does it specify a reporting obligation or something else? Especially since the parameter/values says 'Every event with serious or significant consequence of the event types marked as 'DR' in the tables of Annex I – Part A' whereas the parameter/value for 'Validation data and time' mentions serious and significant consequence occurrences and other occurrences, so seemingly different scope.</p> <p>Also, what is the difference between the "targeted data set" and the "data set shared"? Please make explicit.</p>	NWC	<p>It means what occurrence ID is concerning the dataset. This way an operator can directly indicate what dataset is to be modified with the corresponding data.</p> <p>You can only target a given dataset modification when a first reporting has been made.</p> <p>In every case it is a dataset shared, that may target or not (when new) a first reporting.</p>
35	Annex I – GP – 6.2.3	U	EIM	<p>" 'DOR' request evolving by nature and railway operator ..."</p> <p>This phrase is not understood. Please rephrase.</p>	A	The 'DOR' section is entirely re-drafted, because of the overall text simplification required by the Working Party, and because the sharing request are only expressed in the re-drafted article 4.
36	Annex I – GP – 6.3.3	P	EIM	The heading-row of the table is missing. Please add.	NWC	<p>Sharing requests are modified as indicated in comment 23</p> <p>In every case the generic heading of sharing requests is given in Appendix D – Part C (former Annex VI Part C)</p>
37	Annex I – GP – 7.3.1	P	EIM	The heading-row of the table is missing. Please add.	NWC	<p>Sharing requests are modified as indicated in comment 23</p> <p>In every case the generic heading of sharing requests is given in Appendix D – Part C (former Annex VI Part C)</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
38	Annex I – GP – 8.2	M, P	EIM	<p><i>“The applicable data sets for reporting occurrence scenarios are defined in Annex III – Part A”</i></p> <p>Annex III – Part A contains the data set for reporting a ‘building block’ whereas Annex III – General Part section 4.1 contains the dataset for reporting occurrence scenarios. Please adapt references to prevent ambiguity.</p>	A	Amended as proposed in restructured Appendix A Annex III general Part and Annex III part A integrated in Appendix A
39	Annex I – GP – 8.3	M, P	EIM	<p><i>“The applicable sharing request for reporting occurrence scenarios is defined in Annex III – Part A”</i></p> <p>Annex III – Part A does not contain any sharing request, but Annex III – General Part section 4.2 does (for ROS). Please adapt.</p>	A	Sharing requests are covered as indicated in comment 23 Annex III part A integrated in Appendix A
40	Annex I – GP – 9.3	M, P	EIM	<p><i>“The applicable sharing request for reporting risk control measures is defined in Annex III – Part B”</i></p> <p>Annex III – Part B does not contain any sharing request, and it is not clear if Annex III – General Part contains a sharing request for RRCM. Please make explicit.</p>	A	Sharing requests are covered as indicated in comment 23 Annex III – Part B integrated in Appendix B (planning of RCM)

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
41	Annex I – Part A, B, C	G, P	EIM	<p>For SR and for DR references are made (in the SR sharing request of section 3.2.1 and in the DR sharing request of section 5.2.1 and 5.2.2) to the tables of Annex I Part A, B and C. Such references are not found for ROS and RRCM although the reporting mode ROS is indicated in the tables of Annex I Part A, B and C and RRCM is indicated in the table of Annex I Part A. What then is specified/determined by ROS and RRCM in these tables of Annex I, Part A, B, C?</p> <p>The description above the tables reads ‘... reporting modes applicable to Category A/B/C events’. Does that specify the obligation to report these modes?</p> <p>Especially for ROS in the table of Part C, should there be occurrence scenarios if a C-event happens (and not A- and B- events)? It could be interpreted like that from the table in Annex I part C, e.g. there should be a ROS for C1.</p> <p>Proposal: It must be much clearer in the regulation body-text, annexes and appendices what triggers the reporting of what data (like occurrence scenario, etc.).</p>	A	<p>Re drafted article 4.</p> <p>Tables of Annex I Part A/B/C removed as not necessary with new Article 4.</p>
42	Annex I – Part A, B, C	U, P	EIM	<p><i>For the reserved event types, Part A indicates SOR, Part B indicates SOR / DOR and Part C indicates DOR.</i></p> <p>This does not seem to be consistent. Please adapt to what could reasonably be required to report for the reserved event types. We would expect in Part A SOR/DOR, in Part B and Part C only SOR.</p>	A	<p>In addition to previous answer, SOR is marked reserved and shall be defined by GoA before application.</p> <p>DOR process is described in Appendix A and target specifically only two concerned Accident types.</p> <p>Further DOR to be defined by the GoA, as former tables of Annex I Part A/B/C have been removed.</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
43	Annex I – Part B	U, P	EIM	<p>The name for B-1.1 is '<i>Operation failures of trains or vehicles</i>' whereas the name for B-2 is '<i>Technical failure of the vehicles</i>'.</p> <p>For consistency, we expect the name for B-2 to be '<i>Technical failure of trains or vehicles</i>'.</p>	A	<p>Table of Annex I part B removed, only Taxonomy is supporting Article 4 application.</p> <p>It avoids inconsistencies.</p>
44	Annex I – Part B	U, P	EIM	<p>The '<i>Operation failures</i>' are grouped as B-1.1 and B-1.2 whereas the '<i>Technical failures</i>' are grouped as B-2 and B-3.</p> <p>For consistency, we expect that grouping to apply the same structure i.e. B-1.1 and B-1.2 for operation failures, and B-2.1 and B-2.2 for technical failures.</p>	A	<p>Table of Annex I part B removed, only Taxonomy is supporting Article 4 application.</p> <p>It avoids inconsistencies.</p>

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
45	Annex I – Part C (and Annex III – General Part – section 3.1.3)	U, P	EIM	<p><i>Category C events are defined (art 3(g)) as ‘incident with the potential to directly or indirectly cause a category B event’. Currently in Annex I - Part C the category C events are aimed at ‘Human performance’ and ‘External events’.</i></p> <p>From a system perspective ‘human performance failures’ and ‘External events’ could have an equivalent role as ‘technical failures’, either leading directly or indirectly (via other technical or human failures) to accidents. So, ‘human performance failures’. ‘External events’ and ‘technical failures’ could all act as category B as well as category C events. The event taxonomy as well as the ROS should allow for all these situations.</p> <p>Annex III – General Part - section 3.1.3 may not be understood to agree with the interpretation of the previous paragraph, and we propose to make it more explicit.</p>	A	<p>Table of Annex I part C removed, only Taxonomy is supporting Article 4 application.</p> <p>It avoids inconsistencies.</p> <p>For the future, the GoA can make proposal for improving the Taxonomy, in agreement with the general process of the CSM update and revision.</p>

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
46	Annex II, 1.4	U, P	EIM	<p><i>“The data and information collected for assessing the safety performance of railway operators are limited to the domain of the management of risk control measures and aim to encourage the development of maturity levels higher than the maturity level corresponding to the minimum necessary to obtain a certificate/authorisation.”</i></p> <p>Where is defined “the maturity level corresponding to the minimum necessary to obtain a certificate/authorisation”? We do not know of such a norm in current legislation. We consider it not desirable out of legal scope to define that ‘minimum maturity level’ in the CSM ASLP. Also setting such a norm based on fixed ‘elements of proof’ within the CSM ASLP would impair the freedom of implementation of SMS-requirements by operators. Therefore, the part “higher than ...” should be deleted, and the ‘elements of proof’ should be defined as ‘acceptable means of compliance (AMOC’s)’.</p>	A	<p>The CSM on SMS sets the minimum requirements to obtain a certificate/authorisation. Elements of proof are already described in the guidance on SMS requirements and management maturity model.</p> <p>We propose to reword this sentence as:</p> <p><i>“The data and information collected for assessing the safety performance of railway operators are limited to the domain of the management of risk control measures and aim to encourage the development of a continuously increasing level of safety performance.”</i></p>
47	Annex II, 2.5	P	EIM	<p><i>“For each area, the level self-estimated by the railway operator shall be the one fulfilling the following criteria:”</i></p> <p>‘the level self-estimated’ could be understood as all levels being investigated to see if they are achieved. Proposal to adapt to “... the level self-estimated to be achieved ...”.</p>	NWC	<p>This sentence means that the railway operator has to self-estimate its level of safety performance.</p>

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
48	Annex II, 2.5(a) and (b)	U, P	EIM	<p><i>"The railway operator is able to provide, immediately on request, the supporting evidence corresponding to <u>all</u> the elements of proof required by ..."</i></p> <p>In a legal text as this CSM, does underlining has any specific meaning? We expect the text is (should be) sufficiently clear without underlining and suggest to remove it.</p>	A	The underlining will be deleted.
49	Annex II, 2.6	U, P	EIM	<p><i>"For a given area, if only one supporting evidence required for this level is missing it shall be interpreted that neither the level corresponding to this self-estimation table is reached nor higher level(s)."</i></p> <p>The use of 'only' could be misunderstood to mean that the article does not apply do situations where more than one are missing. Therefore proposal to adapt to "..., if one or more ...".</p>	A	The text will be adapted as proposed.
50	Annex II, 3.3	U, P	EIM	<p><i>"... the self-estimation requirements ..."</i></p> <p>These elements of the self-estimation should not be called 'requirements' as the legal requirements for risk control elements are described in EU 2018/762 and nowhere else.</p> <p>We propose to call these elements 'characteristics' and the elements of proof 'acceptable means of compliance'.</p>	A	<p>We propose to change the term "requirements" by "description".</p> <p>Note: The elements of proof are not considered as AMOCs (term introduced in the TSI OPE); the same principle is however applicable: if a railway operator can demonstrate an equivalent proof of evidence by other means, this will be accepted.</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
51	Annex II, 3.4	U, P	EIM	<p><i>The area's for the Data item 'Self estimation' are indicated as 'P', 'D', 'C', 'A'.</i></p> <p>These capitals likely refer to the areas of section 2.3. However, this is not mentioned and besides the capitals are not used in section 2.3. Please add what PCDA means and explicitly use the words in a consistent way.</p>	A	Annex II 2.3 will be changed (area P,...) to be consistent with table in article 5 of appendix B.
52	Annex II, 3.4	U, P	EIM	<p><i>At the Comment for Data item 'Self-estimation' the phrase 'situational aspect' is mentioned.</i></p> <p>This phrase is not used elsewhere and not explained. Likely it refers to the new wording of Appendix B where it now says "Description of expected performance for maturity level x". Please adapt.</p>	A	This will be reworded to ensure consistency.
53	Annex II, 3.4	U, P	EIM	<p><i>The data set for reporting a SP self-estimation does not apply a Data item 'free-text' (as is applied for all other data sets).</i></p> <p>It is quite likely that clarifications are useful/needed to shared data e.g. to explain form or contents of elements of proof or other not yet foreseeable clarifications. Therefore, the Data-item 'Free-text' should be added to the Data set.</p>	A	Added
54	Annex II, 4.1	P	EIM	<p><i>The heading-row of the table is missing.</i></p> <p>Please add.</p>	A	Added

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
55	Annex II, 4.1	U, P	EIM	<p>At Comment of the Data items 'Sharing deadline', 'Validation date and time' and 'Closure of the sharing request' the wording 'If no (or incomplete) reporting is received ...' is used.</p> <p>It should be understood and allowed that certain elements of proof are implemented by applications that hold the data/information. These applications may not support reporting/exporting to documents very well but it that case should support viewing/inspecting by persons with access-rights. This should be stated somewhere in the CSM text relating to the SP self-estimation.</p>	NWC	<p>We agree but this is considered to be in the field of Supervision and the CSM ASLP is designed as a new – not duplicating – CSM.</p> <p>Note: This principle should also be valid for SSC applications – how has it been solved there?</p>
56	Annex III – General Part - 2.4	U, P	EIM	<p>"The data and information received by interested parties in application of the sharing process are used in accordance with Article 7.14."</p> <p>With the 4th draft of the CSM Article 7.14 was changed to Article 7.15. The latter seems to make more sense as reference in Annex III section 2.4.</p> <p>But even so, should section 2.4 have the format of a fact ('are used') or of a requirement ('shall be used'). Same for section 2.3.</p>	A	<p>The general part of Annex III is actually covered by general requirements of the CSM and was removed in the course of the integration of the Annex III in Appendix A.</p> <p>The section 2.4 of the former annex is covered by CSM Article 7.15 and Appendix D on Data and Information Management.</p> <p>It simplifies the CSM text and still some part of the former Annex III general part can be described in a guide.</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
57	Annex III – General Part – 3.1.3	P	EIM	<p><i>“It is understood that a category A event can be caused by one or multiple direct causes and one or multiple indirect causes and that an occurrence scenario may involve only one risk control measure, several risk control measures or no risk control measures.”</i></p> <p>This should state more clearly in the text and maybe in the figure that category C events could act as direct causes to category A events and that this can/may be described in the ROS. (See also comment at Annex I – Part C).</p>	<p>A</p> <p>NWC</p>	<p>The general part of Annex III is actually covered by general requirements of the CSM and was removed in the course of the integration of the Annex III in Appendix A.</p> <p>It simplifies the CSM text and this part could be described in detail in a guide.</p> <p>The ROS dataset says that any event type can be used to describe the actual scenario:</p> <p>This can be supplemented by guidance.</p>
58	Annex III – General Part – 3.3	M, P	EIM	<p><i>“Practical aspects for the reporting an occurrence scenario”</i></p> <p>Proposal: remove “the” or add “of”.</p>	A	During the integration process of Annex III in Appendix A it has been renamed ‘Generalities’

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
59	Annex III – General Part – 3.3.3(b)	G, P	EIM	<p><i>“When uncertainties on causal factor(s) exist and the railway operator chooses not to use the OR gate (see sections 3.3.1 and 3.3.2 of Annex III – general part), the event type ‘undeveloped’ shall be used as input event. In such case, free text should clarify the reason why the event type ‘undeveloped’ is used.”</i></p> <p>The use of AND, OR and UNDEVELOPED gates is known from standards and applications for occurrence scenario modelling. However, the required ROS does not seem to be fully standard, since the deviating use of the OR gate is still possible.</p> <p>Also, the interface-specification of the ISS is not yet known. It can therefore not yet be assessed how efficient the transfer of operator’s data on ROS can be shared with the ISS.</p> <p>Therefore the prerequisite should be applied for the ROS specification to allow for the standard, non-customized use of commercial occurrence-modelling applications currently available to or in use by the operators, and for the ISS interface specification to allow the efficient transfer of the ROS data from the operators.</p> <p>Note: If the ISS would apply an ROS modelling tool, it would be beneficial when operators have the possibility to apply that tool also voluntarily for their own purposes (e.g. for ROS data preparation).</p>	A	<p>The proposed datasets for ROS contain elements that are already used in standards. And the compatibility with current practice indicated by UNIFE and EIM has been taken into account in the draft for consultation, and will be applicable with the ISS interface.</p> <p>It is considered by the CSM IA that an interface (filter) will be necessary to report in the format requested by the CSM.</p> <p>Voluntary reporting will also be possible with the ISS.</p>

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
60	Annex III – General Part – 3.4.2 (and Annex III – Part B)	U, P	EIM	<p><i>“When applicable for a reported occurrence scenario, any risk control measure(s) that has (have) failed shall be shared using the data set defined in Annex III – Part B.”</i></p> <p>Suppose some RCM is to prevent a certain type A event when triggered by a certain type B event. To measure the effectiveness of that RCM it would be needed to measure how often the triggering type B event for that RCM a) did lead to the type A event (i.e. failure) and b) did not lead to the type A event. Factor a) can be measured from the number of reported type A events for which the type B event was the cause of RCM failure and factor b) can be measured from the number of type B events where also the RCM was implemented and did not lead to the type A event.</p> <p>However, this can only be applied when the RCM, the type A event and the B event all occurred in the same system. To the extent that the context of an RCM is different for different systems (even when the RCM has the same name and intended functionality), its behaviour regarding triggering and resulting events (and thus effectiveness) cannot be considered the same and cannot be aggregated. This limitation should be explained where/when the RCM are evaluated.</p>	NWC	Yes, this is for the GoA to analyse the data and information taking into account uncertainties.

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
61	Annex III – General Part – 3.4.3	U, P	EIM	<p><i>“When the risk control measure(s) concerned by the reported scenario have already been shared in the Information Sharing System the reporting in accordance with Annex III – Part B shall only be referred to, unless it is necessary to update the already shared information.”</i></p> <p>It is to be expected that in case of new occurrences of events for which RRCM is required, mostly only a small part of the RCM data of Annex III – Part B needs to be updated. So, if the RRCM data is not fully the same as already shared, it should be possible to only update the new data of the existing RRCM data in the ISS.</p>	NWC	Updates are allowed, and it is actually supporting the learning curve on RCMs.
62	Annex III – General Part – 4.2.2	P	EIM	<p><i>The heading-row of the table is missing.</i></p> <p>Please add.</p>	A	See comment 23
63	Annex III – General Part – 4.2.2	P	EIM	<p><i>For the Data set shared reference is made to Annex III – section 4.</i></p> <p>Proposal to adapt reference to Annex III – section 4.1.</p>	A	See comment 23
64	Annex III – General Part – 4.2.2	P	EIM	<p><i>The Validation date and time mentions “Serious and significant accidents:”</i></p> <p>For consistency, please change to <i>“For serious and significant consequence events:”</i>.</p>	A	See comment 23

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
65	Annex III – General Part – 4.2.2		EIM	<p><i>The Validation date and time mentions for serious and significant accidents the option: “- date and time of NIB report release, if applicable”.</i></p> <p>This is understood to allow for validation of the ROS data by comparing with the conclusions of the NIB report. If that is to be practicable, then it should allow some time to evaluate and decide if/what ROS data should be updated. Therefore proposal to state “- date and time of NIB report release + 1 month, if applicable”.</p> <p>This proposal also holds for the other sharing requests that have the release of the NIB report as part of the Validation date and time.</p>	A	See comment 23
66	Annex III – Part A – 2.2	P	EIM	<p><i>The table mentions ‘systemic factor’ in the last column (2x) and with a reference to Appendix A.</i></p> <p>The term ‘systemic factor’ is not explained and not used in Appendix A and therefore its use as part of RRCM is not understood. Please make explicit/clear in the CSM text.</p>	A	Reference definition added in the taxonomy tables of Appendix A Article 2 of Regulation (EU) 2020/573 defines ‘contributing factors’ and ‘systemic factors’

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
67	Annex III – Part B – 1.1	U, P	EIM	<p>At '2. Description of resulting events linked to an RCM' is seems to request for 'Normal RCM functioning, as planned' and for 'In case of RCM failure' to report as resulting events 'Reference(s) of each possible resulting Event-type'.</p> <p>The first part/row is not understood: what resulting events could be expected in case of normal RCM functioning? Maybe some form of degraded but safe state. But these would not be the same as any category A or B events and not be available 'according to coding defined in Annex I'.</p> <p>Or is first part/row intended to mean 'Reference(s) of each possible resulting Event-type when RCM fails'?</p> <p>Please make explicit.</p>	NWC	<p>This level of detail is considered to be described in a Guidance.</p> <p>The template already indicate what is expected, namely "prevented or mitigated events" the RCM is designed for.</p>
68	Annex III – Part B – 1.1	P	EIM	<p>At '2. Description of resulting events linked to an RCM' it says '(according to coding defined in Annex I)'. Should this say 'Appendix A' (since the coding is only in the Appendix A taxonomy)? Please make explicit.</p>	A	Yes, it will refer to the taxonomy
69	Annex IV – 3.2	M, P	EIM	<p>"For each assessed objective and assessment period referred to in section 3.1 the Agency shall determine the achievement of the criteria described in the in the technical support documentation ..."</p> <p>Typo. Remove 'in the' (1 time).</p>	A	Corrected

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
70	Annex IV – 4.3 and 5.2.2	U, P	EIM	<p><i>“The Agency shall estimate the safety level for each applicable type of operation and each category of events of a given scope in strict implementation of the technical support documentation of Appendix C, as amended in accordance with Article 9(3)(c) and in accordance with the generic formula of Article 5.2.2 of this Annex.”</i></p> <p>Based on a discussion in the WP it was decided to not now (here in the CSM) define how the SL estimator must be based on categories of events. This because it is not at all clear if it makes sense to base the SL estimator on separate categories of events or a combination thereof. Also the use of category C events for SL estimation was highly doubted since there is no assurance of representative reporting of category C events.</p> <p>This state of affairs seems to be properly reflected by the index ‘Scope of event’ in the SL estimator of section 5.2.2. [Although we propose to say ‘Scope of events’.] However at section 4.3 the text says ‘each category of occurred events’ and section 5.2.2 says ‘separately to each category of occurred events’ which is in conflict with the intention to only refer in general to a ‘scope of events’ to be further specified later as part of Appendix C. We believe the parts mentioning ‘each category of events’ should be removed or replaced by a more general phrase e.g. ‘the specified scope of events in accordance with Appendix C’.</p>	NWC	<p>We take note of the concerns regarding the use of category C events for SL estimation.</p> <p>Regarding the clarification of the scope we would like to add that section 4.3 emphasizes that the scope is defined by the ‘strict implementation of the technical support documentation of Appendix C’. As such, it is implied that the scope shall be fully defined by Appendix C.</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
71	Annex IV – 5.2.1	P	EIM	<p><i>“This section provides a generic formula to be applied for the calculation of the safety estimator (SL estimator).”</i></p> <p>For consistency we propose to change ‘safety estimator’ to ‘safety level estimator’.</p>	A	Corrected.
72	Annex IV – 5.2.2	U, P	EIM	<p><i>“P is a set of parameters assumed in the mathematical model, related to the severity of the events given by victims or damage and to the degree of reducibility of the related risk by the operator”</i></p> <p>We believe the part ‘the degree of reducibility of the related risk by the operator’ is intended to take into account the apparent/manifest (not potential) degree to which operators succeed in mitigating category B (or C) events from becoming category A (or B) events and in limiting the consequences of these events.</p> <p>Would it then be better to say e.g. ‘the apparent degree of reduction of the related risk by the operator’?</p>	NWC	The discussion on defining the ‘degree of reducibility of the related risk’ shall take place within Sub-Group C. We think that the current wording does not preclude the proposed approach.

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
73	Annex IV – 5.2.2 and 6.3	U, P	EIM	<p><i>“V is operation volume per type of operation of the given operator used for the normalization”</i></p> <p>We have been discussing in the WP that the current fixed set of types of operation volumes may not be representative / fit for use in the SL estimation for an operator. The prerequisite is understood that it must be possible to compare and aggregate the SL estimator. Still, different (but fixed) normalizing factors per specific event-types could be applied to improve representativeness. We therefore propose to include the volume-normalizing-factors to be part of Appendix C for further development (adapting sections 5.2.2 and 6.3 accordingly).</p>	NWC / D	Thank you for this addition. We think that the current formula does not preclude such additions, as the definition of P allows for the development of parameters that are related to the degree of reducibility of the related risk by the operator. Volume-normalising-factors could thus be included in Appendix C if the Sub Group C decides so.
74	Annex IV – 6.3	P	EIM	<p><i>“... When describing the details relating to these parameters, the Group of Analysts shall also define the applicable categories of victims and damage to be used, taking into account the victims and damage categories defined in Annex I.”</i></p> <p>For clarity, we propose to state as reference “Annex I – General Part – section 5.1.2.2”.</p>	NWC	The reference is correct but as there is and will only be one section where the victims and damage categories are defined a specification is not needed.

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
75	Annex IV – 9.1	U, P	EIM	<p><i>“The reference manual of the Information Sharing System will be made publically available by the Agency.”</i></p> <p>It seems strange to have this statement in Annex IV Assessment of safety levels. It may fit better in Appendix D TDD on the ISS.</p> <p>Also: publically -> publicly?</p> <p>Also: For security reasons, would it be necessary/wise to have the manual available publicly?</p>	A / NWC	<p>Textual error shall be corrected.</p> <p>System security is part of the ISS System Requirements.</p> <p>The information provided in publicly available manuals, as is generally the case for ERA registers, shall not have a negative impact on system security.</p> <p>The manual can contain information which is relevant for the assessments, which is why the reference is added.</p>
76	Annex IV – 9.4	P	EIM	<p><i>The table is missing a heading-row.</i></p> <p>Please add.</p>	A/ NWC	Sharing requests replaced by re-drafted Article 4 (no more table)
77	Annex V – 2.3 (B) and (C)	P	EIM	<p><i>“The safety performance assessments shall establish whether a performance level estimated for a railway operator:</i></p> <p><i>(A) ...</i></p> <p><i>(B) is better than the level of similar railway operators.</i></p> <p><i>(C) is improved compared to the past.”</i></p> <p>Maybe just be neutral and complete by saying: (B) is better or worse than the level of similar railway operators. (C) is improved or deteriorated compared to the past.”</p>	A	<p>Modified accordingly</p> <p>We can endorse the proposed change, but remind the reviewer of the many discussions that took place concerning the phrasing.</p> <p>We also want to highlight that the section 3.2 emphasizes that both improvements and deteriorations shall be considered.</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
78	Annex V – 3.1	U, P	EIM	<p><i>The Assessed period for case (C) is '5 years period after last date of certification or authorization'.</i></p> <p>There is no 5 year period after last date of SSC/SA for up to (and excluding) 5 years. Should it just say "latest 5 year period"? If yes, then also the Reference period for (C) should be adapted.</p>	A	Taken in to account in the improvement of Article 5
79	Annex V – 6.	P	EIM	<p><i>"6. Information of railway operators"</i></p> <p>For clarity and to be consistent with Annex IV, section 9 we propose to say "6. Information to railway operators".</p>	A	Modified
80	Annex V – 6.2	P	EIM	<p><i>The table is missing a heading-row.</i></p> <p>Please add.</p>	A	Added
81	Annex VI, all	G	EIM	<p><i>Annex VI (and in general in the CSM) reference is made to the Information Sharing System (or ISS). But in Art 11.3 the use of 'an immediately available solution provided by the Agency, not requiring specific IT developments' is mentioned for the period on the first phase of CSM application.</i></p> <p>We would expect that the rules for sharing data and for the protection of personal and specific interest data apply for the temporary IT solution similar to those for the ISS. Where and how is that specified? Adaption needed?</p>	A	This will be taken into account in the Temporary IT solution, which could be more restrictive if needed.

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
82	Annex VI – Part A – 3.1	U, P	EIM	<p><i>In the column 'Applicable rules for data and information not specified as mandatory by the CSM ASLP.' it says 'In such a case ...'.</i></p> <p>It is not clear if 'such a case' refers to 'Any other data or information' or to 'Sharing of information ... and where necessary, completed by a confidentiality agreement ...'. Please make explicit.</p>	A	It refers to the case of non -mandatory data, we will make the wording more clear
83	Annex VI – Part A – 3.4	U, P	EIM	<p><i>"Voluntary reporting shall be subject to an agreement between the concerned entity or entities and the Agency ..."</i></p> <p>Note that 'A-7 Suicides and attempted suicides' and sections 2 – 4 of RRCM are already labelled as voluntary reporting. It does not seem appropriate to apply this and other voluntary reporting 'under a contract'. If both parties (a specific operator and the GoA) see the benefit of the voluntary reporting (for collective learning) than an informal agreement between those parties should suffice. Note that if certain data is really needed for collective learning in some area, than the GoA should propose 'on request reporting' leading to an update of the CSM.</p>	A	<p>The sharing rule table applies in line with your proposal.</p> <p><i>"Sharing of information based on applicable EU legislation, and where necessary, completed by a confidentiality agreement signed between the concerned parties.</i></p> <p><i>The sharing of data and information will be managed under a specific fee-based regime, defined in agreement with the concerned entity(ies) and the Agency in order to cover the expenditures incurred by the Agency related to the design, setting, operation, and maintenance of the shared data and information."</i></p> <p>We propose to align the section 3.4 with saying "Voluntary reporting may be subject to' and 'Such agreements shall also include</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
84	Annex VI – Part A – 3.4	U, P	EIM	<p><i>“Voluntary reporting ... may be subject to a specific fee-based regime in order to cover, when necessary, the expenditures incurred by the Agency related to the design, setting, operation, and maintenance of the shared data and information.”</i></p> <p>A distinction must be made between voluntary reporting by an operator with the intention to A) implement its reporting activities through the ISS thereby not needing their own system and B) share data additional to the mandatory data for collective learning purposes. For the latter option no fee should be applied.</p>	NWC	<p>The Agency should have a certain level of control, even in the case B), this is why we consider the current wording correct.</p> <p>May be subject to / when necessary.</p>
85	Annex VI – Part B – 1.	U, P	EIM	<p><i>Section 1.2 defines operational types. RU's and IM's could be more than 1 of such types.</i></p> <p>For SL it is specified that each category of RU/IM will have its own assessment based on their own SR-events and own operational volume. If an operator that is registered as being multiple entity-categories shares data, how is it clear/defined that the correct events are used in the SL calculation? Also because the operational types are overlapping. Must the operator allocate events and submit/share per operational type? Or is this allocation done by the ISS? Please make explicit.</p>	NWC, D	<p>This can be detailed when the GoA will define the detailed SL estimation formulas.</p> <p>In principle, the type of operation, the operator category and the location of occurrence allow to discriminate what is applicable in each case for SL estimation</p>
86	Annex VI – Part C – 3.2	P	EIM	<p><i>The table is missing a heading-row.</i></p> <p>Please add.</p>	A	Added

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
87	Annex VI – Part C – 3.2	P	EIM	<p>The table says at Targeted data set: ‘Data set ID (applicable if correction, update or extraction)’.</p> <p>From section 2.1(e) it seems that it could also apply to ‘validation’. Please verify and adapt if needed.</p>	A	amended
88	Annex VI – Part D – 7.2	P	EIM	<p>“Personal data are kept the time necessary for processing the related sharing requests, after data and information will be kept in a dis-identified form for statistical and analysis purposes.”</p> <p>The part of the sentence starting with ‘after ...’ is not clear/understood, likely because of the grammar (not on the contents). Please consider adapting.</p>	A	amended
89	Annex VII, 1.	M, P	EIM	<p>“In accordance Article 6(1),...”</p> <p>Typo: -> “In accordance with Article 6(1),...”.</p>	A	corrected

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
90	Annex VII, 2.	U, P	EIM	<p><i>“The definition of an harmonised risk classification and decision-making method (analysis function) allowing the Group of Analyst to:</i></p> <ul style="list-style-type: none"> <i>o Prioritise risk-based railway safety improvements,</i> <i>o Allocate any event type to the categories of events defined by this Regulation in a well-controlled manner;”</i> <p>The second objective (allowing GoA to allocate any event type to the event-categories) does not seem to fit under (to be determined by) the heading of ‘The definition of an harmonised risk classification and decision-making method (analysis function)’. Since that allocation is already fully defined by the definitions of category A/B/C events and their cause-consequence relations, we propose to either delete the second objective or describe it separately and differently indicating the problem to be solved.</p> <p>Or is this about the importance/priority of the proposal?</p>	A	<p>It means that the decision making method shall be in accordance with the regulation, including for the risk-based classification of events.</p> <p>But it means also that the risk classification method may evolve and in this case it shall be consistent with current classification.</p> <p>Clarification is made in saying ‘Maintain compatibility with event types and with the ...’</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
91	Annex VII, 3.	U, P	EIM	<p><i>"Based on these analyses, and as necessary: o Identify safety-related improvement needs;"</i></p> <p>The wording 'as necessary' and 'improvement needs' suggest that the related GoA proposals are to be justified by where objectives are not achieved. Although this is considered valid, the scope should be broader to include improvement-opportunities. Therefore consider rephrasing to "... identify safety-related improvement needs and opportunities;".</p>	A	Amended as proposed
92	Annex VII, 4.	M, P	EIM	<p><i>"In accordance Article 6(4),..."</i></p> <p>Typo: -> "In accordance with Article 6(4),...".</p>	A	corrected
93	Annex VII, 4.	U, P	EIM	<p><i>"Contribute to the preparation of Agency's opinions and recommendations concerning amendments for improving the Annexes of this Regulation and its Appendices."</i></p> <p>Could the contribution also apply to the preparation of Agency's opinions and recommendations concerning amendments for improving (parts of) other Regulations (than this CSM ASLP)? If so, please adapt.</p>	NWC	<p>In principle the other text have also their own adoption processes.</p> <p>This situation is covered by Annex VII, 3, and is taken into account in the GoA Working Arrangements.</p>
94	Appendix A, art 3, 2.1.	U, P	EIM	<p><i>"2.1 Concerning the taxonomy of event types b. There is no pre-existing event type/sub-type with a similar name, category or definition."</i></p> <p>Since 2.1.b. does not contain an action/requirement (and 2.1.a. does), what is the meaning of 2.1.b? Please adapt.</p>	A	Text clarified

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
95	Appendix A, art 3, 2.2.a.i	U, P	EIM	<p><i>"The name of the proposed reference risk control measure"</i></p> <p>The term 'reference risk control measure' is used here for the first time. If the term is need, it should be further introduced/explained.</p>	A	<p>Text clarified with reference to (restructured) Appendix A Part E</p> <p>This appendix is (reserved) and the definition of 'reference risk control measure shall be agreed with the GoA.</p>
96	Appendix A, art 3, 2.2.	U, P	EIM	<p><i>"2.2 Concerning the taxonomy of risk control measures</i></p> <p><i>b. There is no pre-existing reference risk control measure with a similar name, category or definition."</i></p> <p>Since 2.2.b. does not contain an action/requirement (and 2.2.a. does), what is the meaning of 2.2.b? Please adapt.</p>	A	Text clarified
97	Appendix A, art 4, 2.	U, P	EIM	<p><i>"... proposed amendments taking into account its harmonised risk classification and decisionmaking scheme."</i></p> <p>It is not understood why proposals for new event-types in the taxonomy would need to take into account the harmonised risk classification and decisionmaking scheme. The placing of new events in the taxonomy is already defined by the definitions of category A/B/C events and their cause-consequence relations. Please clarify or adapt.</p> <p>Or is this about the importance/priority of the proposal?</p>	A	<p>In principle we agree, but it is a precaution to allow for flexibility for the GoA.</p> <p>The Annex VII on the GoA has been clarified also.</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
98	Appendix A – Part A, Category A	P	EIM	<i>A7 Suicides and attempted suicides are currently default allocated to IM.</i> <i>Event-type A7 is not eligible for SR and thus not for SL assessment. We propose to not allocate A7 to IM nor RU.</i>	A	Allocation removed
99	Appendix A – Part A, Category B	P	EIM	<i>At B.2.3.7: “Note: for example, a loss of ventilation in railway vehicle compromising fire management plan, leading to victims or damage”</i> <i>Proposal: “... potentially leading to victims or damage”.</i>	A	modified
100	Appendix A – Part A, Category B	P	EIM	<i>‘B.3.1.5 Improper rail fastening and joints’ and ‘B.3.1.9 Disorder of earthworks / embankment failure’ have no default allocation to an operator-type.</i> <i>Both B.3.1.5 and B.3.1.9 should be default allocated to the IM.</i>	A	allocated

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
101	Appendix A – Part A, Category B	P	EIM	<p><i>B.3.2.6 ‘Stations structure failure’ cannot be part of Cat B Simple Reporting, since it is not part of the infrastructure (Ref. EU 2012/34).</i></p> <p><i>It could however be a relevant cause for Cat A events/accidents (and thus ROS).</i></p> <p><i>This illustrates a problem of principle: the taxonomy is used for 2 purposes: defining the event-types for SR/DR reporting (per Annex I – Part A/B/C), and describing a look-up table to identify event-types for ROS (per Annex III – Part A).</i></p> <p><i>These 2 purposes are not compatible.</i></p> <p><i>This can also be illustrated with another example when there are limits in the event-type definition. E.g. a ‘broken rail’ could be eligible for SR when the rupture fulfils the defined minimal dimensions. But the ‘broken rail’ should not have dimensional limitations when it is a potential type-B cause for an occurred type A event in the ROS.</i></p>	D	<p>The Simple Reporting of Cat B event will not take place in the first implementation phase.</p> <p>We suggest to adapt the taxonomy before this application phase is required with a proposal from the GoA.</p>
102	Appendix A – Part A, Category B	P	EIM	<p><i>At B.3.3.4: “Note: for example, a loss of tunnel ventilation compromising fire management plan, leading to victims or damage”</i></p> <p><i>Proposal: “... potentially leading to victims or damage”.</i></p>	A	corrected

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
103	Appendix A – Part A, Category C (and Contributing factors, and SMS factors)	P	EIM	<p>The heading says “By default allocation of related occurrences (see Annex IV for details)”</p> <p>For Cat C no separate SL assessment is to be applied. The variation in if/when/how type C events are reported makes the results useless and misleading. Note also that C.1.9, C.1.10, C.1.11 cannot have default allocation as they indicate ‘structural subsystems’. Therefore, the ‘default allocation’ makes no sense and should be removed.</p> <p>Same for Contributing factors, and SMS factors.</p>	D	<p>We suggest further discussion at the GoA/SGA meetings to improve this Taxonomy part.</p> <p>ERA will offer its support as soon as the Working Party put this task in its GoA work plan</p>
104	Appendix A – Part A, Category C	P	EIM	<p>At C.1.12 External events – Environmental and C.1.13 External events – Security: “Note: This category of event and its subtypes are allowed to be used as Category B events in the case there is no other possibility to describe properly the scenario which took place.”</p> <p>We consider it correct that the event-types of C.1.12 and C.1.13 could act as category B events. But it is not clear which event-type-codes should then be used. Please make explicit.</p>	NWC	<p>It is a Category C when it triggers a B event type</p> <p>It is a Category B when it triggers a A event type</p> <p>This could be clarified in a guide.</p>
105	Appendix B, 3.2	U, P	EIM	<p>“... proposed amendments taking into account its harmonised risk classification and decision-making scheme”</p> <p>See comment at Appendix A, 4.2.</p>	A	See answer to comment 97.

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
106	Appendix B, 4.2 (and at all maturity level tables/sections)	G, P	EIM	Note that below GV reviewed only the level 2 sections. No comments/proposals described for level 3, 4, 5 sections does not mean there are ok. Since from reviewing the level 2 sections there are quite some comments on the principles applied in the descriptions of expected performance and EoP, maybe these should be listed separately as applying to the SP self-assessment in general.	NWC	

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
107	Appendix B, 4.2 (and at all maturity level tables/sections)	G, P	EIM	<p><i>“The performance expected for each maturity level contains a description of the expected performance and the required elements of proof a railway operator needs to provide to demonstrate achieving the corresponding level of maturity.”</i></p> <p>It is an important principle that the operators are free to choose the efficient and effective implementation of SMS requirements (as described by EU 2018/762). Prescribing that implementation would limit the operator’s freedom of implementation. Therefore, the maturity levels and the elements of proof must not be considered/described as requirements. This would turn the maturity assessment into a compliance assessment with check-box ticking.</p> <p>Therefore, we propose to change every section title ‘Requirements for Maturity level x’ to ‘Description of Maturity level x’ and every ‘Required elements of proof for level x’ to ‘Reference elements of proof’. Also, it should be added “The operator can argue for justified alternatives to the reference elements of proof when they have an equivalent contribution to the expected performance.”.</p>	A	<p>Every section title ‘Requirements for Maturity level x’ will be changed into ‘Description of Maturity level x’ and every ‘Required elements of proof for level x’ to ‘Reference elements of proof’.</p> <p>Also, we would add “The operator can argue for justified alternatives to the reference elements of proof when they have an equivalent contribution to the expected performance.”</p>

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
108	Appendix B, 5, General	P	EIM	<p><i>The descriptions of expected performance at level 2 (and then the subsequent additions for higher levels) are much too detailed. They seem to describe the situation that may apply for large or high-impact projects. They are not a proper reference for small or low impact projects. The reason is not lower maturity but higher efficiency. This differentiation must be taken into account somehow.</i></p> <p><i>Also, many elements of the expected performance are describing very general elements of business performance. It is indeed so that planning, developing, operating and monitoring RCM is no different from other functional elements of the railway system. But this should not lead to the <u>safety</u> performance self-assessment becoming a <u>business</u> performance self-assessment. Therefore we propose to focus more on the safety-specific performance elements while reducing the general business performance elements.</i></p>	NWC D	<p>Appendix B was developed taking into account the current safety regulatory framework (CSM on SMS, CSM on monitoring and CMS REA).</p> <p>These more generic descriptions are to be understood as applied to the 4 RCM management processes. Rephrasing can be discussed based on testing of the appendix. Articles 2 and 3 of Appendix explain the modalities for this.</p>

<i>N°</i>	<i>Reference (e.g. Art, §)</i>	<i>Type</i>	<i>Reviewer</i>	<i>Reviewer's Comments, Questions, Proposals</i>	<i>Reply</i>	<i>Proposal for the correction or justification for the rejection</i>
109	Appendix B, 5.1	P	EIM	<p><i>"The main outcomes expected from this activity are that:</i></p> <p><i>- a safe working environment which conforms to applicable legislation, in particular Directive 89/391/EEC14 is provided and sustained"</i></p> <p>We consider "to provide and sustain the safe working environment" part of the setting up and operating of RCM. We propose to state here at Planning of RCM: "the requirements for a safe working environment which conform to ... are identified".</p>	A	The text will be amended: the requirements for a safe working environment which conform to applicable legislation, in particular Directive 89/391/EEC14 are identified"

N°	Reference (e.g. Art, §)	Type	Reviewer	Reviewer's Comments, Questions, Proposals	Reply	Proposal for the correction or justification for the rejection
110	Appendix B, 5	G, P	EIM	<p><i>We have performed a partial review on the sections that describe the 'Requirements for Maturity level x'. We have identified many items of both descriptions of expected performance (DoEP) as well as elements of proof (EoP) which – in our view – use unclear or improper text. Also, the placing of some EoP under the 4 area's and the relation of DoEP and EoP between subsequent maturity levels is inconsistent at some places. Also, the level of detail and number of DoEP and EoP for the subsequent maturity levels is in some places not appropriate.</i></p> <p><i>Although the use of Appendix B is voluntary for the 1st phase of CSM implementation, applying Appendix B in its current state could result in an assessment that is both not efficient and not effective.</i></p> <p><i>We believe this part (art 5) of Appendix B can and must be substantially improved and we have identified multiple improvement suggestions. However, since all the DoEP and EoP for the 4 area's are intricately linked, we believe that the review and improvement should be performed as a coordinated activity and not be based on many separate improvement suggestions.</i></p> <p><i>We have therefore not here included any separate comments on the DoEP and EoP, but seek to complete the review and propose consistent improvements for the DoEP and EoP as a whole..</i></p>	NWC	Appendix B articles 2 and 3 explain the procedure for its amendment.

Note: This table could be changed according to the requestor's needs

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