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COOPERATION PROTOCOL BETWEEN THE EUROPEAN UNION AGENCY FOR RAILWAYS AND EUROPEAN RAIL COMPANIES AND AUTHORITIES FOR SHARING RESULTS OF THE EUROPEAN RAIL SAFETY CLIMATE SURVEY “ERSCS COOPERATION PROTOCOL”

In order to fulfil the requirements of the article 29.2 of the Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety, the European Union Agency for Railways, hereafter referred to as Agency, will launch, during the European year of rail 2021 a survey to collect data on how safety is perceived by rail professionals. This survey is designated as the **European Rail Safety Climate Survey (ERSCS)**.

As a safety climate survey constitutes a recognised tool to enhance the safety culture of any organisation, the Agency intends to allow European rail companies¹ and authorities² to extensively benefit from the ERSCS. This will be achieved by sharing with interested companies and authorities the results of the survey based on the responses of their own staff.

The present cooperation protocol is comprised of three parts. Part A describes the ERSCS and **how data is collected, analysed and protected**. Part B details the modalities and conditions of cooperation between the Agency and those rail companies and authorities who want to make use of the ERSCS specifically in relation to their own staff responses. Part C presents the terms of service of the cooperation protocol.

PART A: PRESENTATION OF THE ERSCS

The ERSCS is an online survey open to all rail professionals working in the European Union and/or in one of the EFTA states³, which aims at collecting information on how they perceive operational and occupational safety. Survey results will be used as one component of the report on the development of a safety culture to be delivered to the European Commission, as required by Directive (EU) 2016/798.

1. BASICS

1.1. *Online survey*. The ERSCS is published on the European Commission's survey management tool⁴ EUSurvey, available on smartphones, tablets and computers.

1.2. *Launch and closing date*. The ERSCS is to be launched on the 14th of June 2021⁵ and it is to be accessible until the 30th of September 2021. Closing date might be extended.

1.3. *Languages*. The survey is available in the following 22 languages: Bulgarian (BG), Croatian (HR), Czech (CS), Danish (DA), Dutch (NL), English (EN), Estonian (ET), Finnish (FI), French (FR), German (DE), Greek (EL),

¹ Rail companies designate infrastructure managers, railway undertakings, manufacturers and service providers.

² Rail authorities designate national safety authorities, national investigating bodies, national and European regulatory institutions.

³ EFTA states are Iceland, Liechtenstein, Norway, and Switzerland.

⁴ The terms of service of this web application are available in English, French and German on the following link: <https://ec.europa.eu/eusurvey/home/tos>.

⁵ For those companies and authorities who will cooperate, launch and closing dates may be subject to adjustments (see 5.2, 5.5 and 6.1).

Hungarian (HU), Italian (IT), Latvian (LV), Lithuanian (LT), Polish (PL), Portuguese (PT), Romanian (RO), Slovak (SK), Slovene (SL), Spanish (ES), Swedish (SV).

2. DATA COLLECTION

2.1. *Profile questions.* Respondents provide socio-demographic information about their organisation, activities, level of responsibility and experience by answering “profile questions”.

2.2. *Safety statements and type of organisations.* Two sets of safety statements⁶ are applicable for the respective respondents’ profiles: company and authority.

2.3. *Safety culture model.* Respondents express their safety perceptions by reacting to safety statements. These safety statements are aligned with the **European Railway Safety Culture Model**⁷. Respondents grade their level of agreement with each statement using an 8-level answer scale⁸. Guidance is provided to the respondents.

2.4. *Data protection.* Throughout the survey, respondents are never requested to provide any personal information such as name, surname, address and email. Data is protected: a link to a data protection notice⁹ is made available.

3. DATA ANALYSIS AND SURVEY RESULTS

3.1. *Anonymity.* The information is collected anonymously. It is not possible to identify individuals responding to the survey.

3.2. *Aggregation.* Responses will be compiled together and analysed. Safety perceptions will be aggregated and interpreted against various combinations of profile questions.

3.3. *Safety culture report.* Survey results will be made available to the public. Analytical outputs will be one component of the report on the evaluation of the development of a safety culture, to be submitted to the European Commission by the 16th of June 2024 (article 29.2 of the Directive (EU) 2016/798).

3.4. *Database.* Survey results will be stored to build a unique database on rail safety perceptions and allow dynamic and comparative analysis in the future.

PART B: MODALITIES AND CONDITIONS OF COOPERATION

While the results of the ERSCS will be made available to the public, the data collected at organisational levels may be analysed to support initiatives to improve organisational safety culture. This is why the Agency is willing to share with companies and authorities additional results of the ERSCS, based on the safety perceptions conveyed by their own staff.

4. EXPRESSION OF INTEREST

4.1. *Form for expression of interest.* Companies and authorities which are willing to obtain those additional results based on the responses of their own staff, have to express their interest by filling in a form for _____

⁶ The two sets of safety statements have been developed with the support of an ad hoc Task Force on safety climate survey. The task force was created in November 2019 under the umbrella of the Agency’s Human and Organisational Factors Network. The task force met four times in 2020 (remote meetings) and decided that two sets of statements subject to the types of organisation were necessary. Safety statements have been reviewed by the task force members and tested by a sample of European rail professionals.

⁷ The European Railway Safety Culture Model and the 24 safety culture attributes are available in all the official EU languages on the following link: https://www.era.europa.eu/activities/safety-culture_en.

⁸ The 8 levels are the following: 1. completely disagree; 2. strongly disagree; 3. disagree; 4. no opinion; 5. agree; 6. strongly agree; 7. completely agree; no experience.

⁹ The data protection notice is accessible at the following address: https://www.era.europa.eu/content/data-protection_en#meeting17.

expression of interest accessible on the Agency website. This form must be completed by a legal representative.

4.2. *Agreement with the cooperation protocol.* When filling in the form for expression of interest, the legal representative is requested to agree with the present cooperation protocol, also accessible on the Agency website.

4.3. *Safety climate survey coordinator.* This expression of interest shall include the contact details of a “safety climate survey coordinator”. This coordinator is to be the point of contact. Coordinator’s high level of responsibility is a success factor for the deployment of the survey within the organisation.

4.4. *Deadline.* Expressions of interest have to be communicated to the Agency by the 31st of January 2021. This deadline may be postponed by the Agency.

4.5. *Partner.* Should the expression of interest fulfil the requirements, the Agency will contact the safety climate survey coordinator of the organisation, which will be designated as a “partner” during the period of cooperation. The list of rail companies and authorities (name and logo) cooperating with the Agency as partners of the ERSCS will be publicly accessible.

5. PARTNER VERSION OF THE ERSCS

5.1. *Partner version.* To collect and analyse the responses conveyed by the staff of the partner, a specific survey has to be designed and implemented in the EUSurvey web application. This partner version of the ERSCS is partly similar to the ERSCS. In particular, the set of safety statements is identical. A password will be requested to access to the partner version of the ERSCS.

5.2. *Technical specifications.* The specifications of the features to be implemented in the partner version of the survey are the following: scope and number of staff; survey password; survey languages; engaging welcome text in all languages; logo; organisational answers to profile questions; additional profile questions in all languages (see 5.3); launch date (see 5.5); alternate closing date (see 6.1). Technical specifications are proposed by the partner and presented to the Agency shortly after the start of the cooperation.

5.3. *Additional profile questions.* To increase relevance of the data analysis, it is possible to consider some characteristics of the context of the partner (activity, organisational structure, localisation of sites, types of employment contract...) by means of additional profile questions. The number of additional profile questions must be as few as possible. In any case, those additional questions must be justified, guarantee anonymity (see 3.1), and compatible with the standard profile questions of the ERSCS.

5.4. *Articulation between ERSCS and partner versions.* ERSCS and partner versions are articulated according to the following modalities: Respondents accessing the ERSCS are asked whether they are employed by one of the listed partners. If so, they are directed to the corresponding partner version. To access to the partner version of the ERSCS, they will need to enter the survey password communicated by their organisation. In the partner version, they will be asked whether they consent to share their replies with the Agency and the partner, or only with the Agency. In the first case they will be invited to complete the partner version of the survey. In the second case, they will be invited to go to the ERSCS and their replies will not be shared with the partner.

5.5. *Launch date.* The launch date of the partner version of the ERSCS is proposed by the partner and agreed with the Agency.

5.6. *Validation of the partner version.* The Agency will present the final partner version of the ERSCS to the partner at least two weeks before the launch date, provided the Agency received the inputs needed (see 5.2) on time.

6. COMMUNICATION, RESULTS AND FOLLOW-UP

6.1. *Duration of the partner version of the ERSCS.* For technical reasons, the partner version of the ERSCS will remain accessible until the closing date of the ERSCS, 30th of September 2021 (with possible extension).

However, the partner may propose an “alternate closing date” which ends the data collection phase before the closing date of the ERSCS.

6.2. *Transmission of results.* Data analysis will be conducted shortly after the alternate closing date and results will be shared consequently. The results availability is subject to the number of partners. The Agency will communicate the results no later than one month after the alternate closing date. Aggregated data on groups of less than 9 individuals included will not be shared with the partner. Results based on the safety perceptions expressed by the partner’s own staff will be shared with the partner only.

6.3 *Access to collected data.* Upon request, the partner will obtain the data collected from all those respondents belonging to their organisation who consented to share their responses with the partner. Data which could potentially allow identification of single individuals through the profile questions will not be shared.

6.4. *Partner’s communication plan.* An effective internal communication plan is a recognised success factor of any survey according to the response rate. By expressing interest in cooperating with the Agency in this context, the partner should allocate the necessary resources to ensure design and implementation of an effective communication plan of which the objective is to achieve a high response rate. This communication plan may be presented and discussed with the Agency, who may share communication material and good practice.

6.5. *Follow-up.* The cooperation between the Agency and the partner ends with the transmission of results. However, in order to continually improve the quality of its services, the Agency collects experience feedback from the partners. The partner should share experience feedback (e.g. outcomes based on the survey results) with the Agency between 6 and 12 months after transmission of the survey results.

PART C: TERMS OF SERVICE AND TECHNICAL SUPPORT

Partners cooperating with the Agency on the ERSCS agree with this protocol and the following terms of service.

7. SUPPORT TO TECHNICAL PROBLEMS

7.1. *Survey specific issues.* The Agency can be contacted via “Contact Form” available in the ERSCS or in any partner version of the ERSCS, with any survey specific question.

7.2. *Survey functional issues.* The EUSurvey Support team can be contacted via “Help>Support” form available in the ERSCS or in any partner version of the ERSCS, with any question regarding the technical functionality of the EU Survey Tool.

8. TERMS OF SERVICE GOVERNING THIS PROTOCOL

8.1. *Costs and liability.* Each partner and the Agency will bear their own costs in fulfilling their tasks under this protocol. Although it is expected that each partner and the Agency cooperate in good faith in the interest of the promotion of safety culture, the protocol is not to be interpreted as a binding agreement. It does not create legal obligations between the partners and the Agency. Neither a partner nor the Agency can be held liable to the other under this protocol.

8.2. *Intellectual property.* The Agency retains the intellectual property rights on the data analysis and survey results that will be used by the Agency to promote safety culture in railways. The Agency may be obliged to disclose documents related to the ERSCS and the partner versions under the EU legislation for public access to documents.

8.3. *Disputes.* Although the Agency does not expect claims or disputes related to the ERSCS and the partner versions, possible disputes should be settled amicably. In case amicable settlement is not possible, any claim against the Agency should be addressed to local courts in Valenciennes or Lille (France).