

Rail Delivery Group



RDG Guidance Note: Train Driver Licences and Certificates Regulations

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About this document

Explanatory Note

The Rail Delivery Group is not a regulatory body and compliance with Guidance Notes or Approved Codes of Practice is not mandatory; they reflect good practice and are advisory only. Users are recommended to evaluate the guidance against their own arrangements in a structured and systematic way, noting that parts of the guidance may not be appropriate to their operations. It is recommended that this process of evaluation and any subsequent decision to adopt (or not adopt) elements of the guidance should be documented. Compliance with any or all of the contents herein, is entirely at an organisation's own discretion.

Other Guidance Notes or Approved Codes of Practice are available on the [Rail Delivery Group \(RDG\) website](#).

Executive Summary:

This Guidance Note explains and details the process by which RDG members can measure compliance with the requirements of the Train Driving Licences & Certificates Regulations 2010 (as amended) (TDLCR). Under TDLCR (Part 2) Railway Undertakings are responsible for making sure that anyone they allow to drive a train on the mainline railway has a valid licence and certificate. The guidance aims to assist RDG Members to comply with the requirements of this legislation

Issue Record

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This document is reviewed on a regular 3 year cycle.

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1 Introduction

1.1 Applicability

This document applies to all RDG members who employ train drivers, driver managers, trainers and examiners of train drivers. It also applies to those who are responsible for overseeing the work carried out by doctors and psychological practitioners who assess whether train drivers are fit to drive. This guidance does not apply to Northern Ireland.

Train Driving Licences & Certificates Regulations 2010 (as amended) (TDLCR) does not apply to drivers employed to work only:

- In engineering possessions.
- On metros (for example London Underground), tramways and other light rail systems.
- On heritage operations not on the main line.
- Depot Drivers. (Depot drivers or shunters may enter the GB mainline railway infrastructure under secure protection and with the agreement of relevant Infrastructure Manager for the short distance to the first signal or junction head and to deliver empty passenger trains. Under no circumstances does the distance travelled exceed 10 miles or the speed limit exceed 50 miles per hour.)

The TDLC Regulations became effective for new drivers from April 2010 and became effective for all mainline train drivers from October 2018. Information on the TDLC Regulations and ORR guidance can be found [here](#).

2 Requirements and guidance for recruitment

2.1 Offer of employment to a person with no previous (or expired) train driver experience

Read in conjunction with: TDCLR Part 3 Regulation 8, Train Operator Guidance Section 2.

Prior to offering a person a role as a train driver, or any associated role that requires train driving competency, Railway Undertakings should consider that a train driver licence can only be applied for if the following conditions are met:

- i) That the individual is at least 20 years of age.
- ii) That the individual has completed at least 9 years education (primary and secondary).
- iii) That the individual has passed the psychometric assessment conducted or supervised by a Recognised Psychological Practitioner.
- iv) That the individual has passed the relevant Medical conducted or supervised by a Recognised Doctor.
- v) That the individual can understand (both listening and reading) and communicate (both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe.

This applies to applicants regardless of nationality and whether they reside in GB or elsewhere.

Railway Undertakings and, if appropriate, their recruiting organisations should ensure the psychological fitness assessment is successfully passed PRIOR to the medical assessment.

Guidance:

At the recruitment stage the onus is on the Railway Undertaking to check that the individual is legally entitled to work in the UK.

When a Railway Undertaking (or individual) applies for a driving licence, they are asked their place of birth, nationality and native language. A copy of their passport/national ID card is also required. However, you do not need to provide this copy if the application for a licence is being made online through ORR's SharePoint Portal.

2.2 Offer of employment to an existing GB Driver

For an existing train driver (or manager with train driving competence) who is recruited from another GB Railway Undertaking, Appendix 'B' of RIS-3751-TOM should be received, which will detail whether the person is the holder of a train driving licence.

Appendix 'B' of RIS-3751-TOM states that currently for employed drivers (who hold a licence), their license number and category of certificate held should be entered on this form.

Drivers who are not currently employed should attach a copy of their license and a certified copy of their Train Driving Certificate as per Office of Rail Regulation (ORR) Guide to the Train Driving Licences and Certificates Regulations Annex C. This certificate should have been requested by the driver and issued by their previous employer.

2.3 Offer of employment to an existing EU (non-GB) Driver

For an existing train driver (or manager with train driving competence) who is recruited from a non-GB Railway Undertaking, a copy of their license should be received. A certified copy of their Train Driving Certificate should also be received – this may not be in English and may require translation. See Annex C of [ORR guidance](#).

There is no requirement for the individual to undergo another psychometric test, as this will have been completed as part of the issue of the licence in line with the issuing country's procedures.

Further guidance will be provided by the ORR following the end of the UK/EU Transition period due to end on 31 January 2021.

Guidance:

The ORR Recommends the use of Rail Industry Standard (RIS) 3751-TOM that provides requirements and guidance on the selection process for train driver candidates who will drive on the GB mainline network. It has been developed for any member of RSSB to adopt if they wish to do so.

A Railway Undertaking may find it prudent to check with ORR whether a licence is still valid before offering employment to a driver who is not currently employed. Whilst this is not a requirement, as if no longer valid the licence should have been withdrawn or will be 'time-expired', at the pre-employment stage this check may inform and assist the recruitment process.

Note: ORR will check the validity of EU issued licences when requested by the Railway Undertaking.

2.4 Language Requirements

Read in conjunction with: Train Operator Guidance Section 5.6

Where English is not the person's first language, the Railway Undertaking should either:

- i) Enhance their recruitment process for the individual through using scenario-based interview techniques. These must cover verbal and written language skills or:
- ii) Ensure that the language requirements (Level B1) are met prior to the awarding of the complementary certificate.

The Railway Undertaking can measure the person's linguistic abilities through the training and examination process to ensure that level B1 of the Common European Framework of Reference for Languages (CEFR) is met. (See Figure 1 for guidance)

Guidance:

Whilst language requirements are part of the awarding of a complementary certificate (Schedule 4

Part 8) it may be useful to assess this at the recruitment stage. Establishing the applicant's first language is useful, and for those for whom this is not English, the B1 test can be applied. For Railway Undertakings who apply the Rail Industry Standard (RIS) 3751 psychometric test, this can be used to prove language skills with the following adaptations:

Verbal communication is assessed to a similar level to B1, but written communication is not. It is also worth noting that an applicant can pass the RIS-3751-TOM psychometric test but score level 3 on verbal communications, which requires the Railway Undertaking to further develop that individual in this area during the training period.

Therefore:

- i) If the RSSB psychometric test is used instead of B1, written communication should form part of the driver training course and assessment prior to the awarding of the complementary certificate*
- ii) If an alternative psychometric test is used, then either the B1 test or an equivalent alternative should be used to assess language skills.*

It is acknowledged that cross-border operators have had alternative systems in place for many years which satisfy the relevant infrastructure managers (IM) which cover where more than one language is required.

A derogation process is in place based on provisions of "COMMISSION DIRECTIVE (EU) 2016/882 of 1 June 2016 amending Directive 2007/59/EC of the European Parliament and of the Council as regards language requirements" and with reference to applied measures implemented by an effective bilateral agreement.

Cross-border operators should therefore be able to demonstrate that alternative written procedures are in place and that they are accepted as safe by the relevant IMs for their areas of operation. The application tool automates this process. If such operators elect not to derogate, they will need to comply with written B1 language as well as oral B1 requirements.

This derogation process should only be used by Railway Undertakings that have short cross border operations and have bilateral agreements already in place with the relevant Infrastructure Manager.

For longer distance cross border operations (such as Eurostar) there is a pilot programme in place that allows for alternative language requirements to be met. The European Commission's process requires all affected Railway Undertakings and all the Infrastructure Managers involved to agree on such a pilot scheme as well as having support from the affected National Safety Authorities. The basis for a pilot, for example, may be to agree one language for the operation on a cross border route.

See also Figure 1 (below) for guidance.

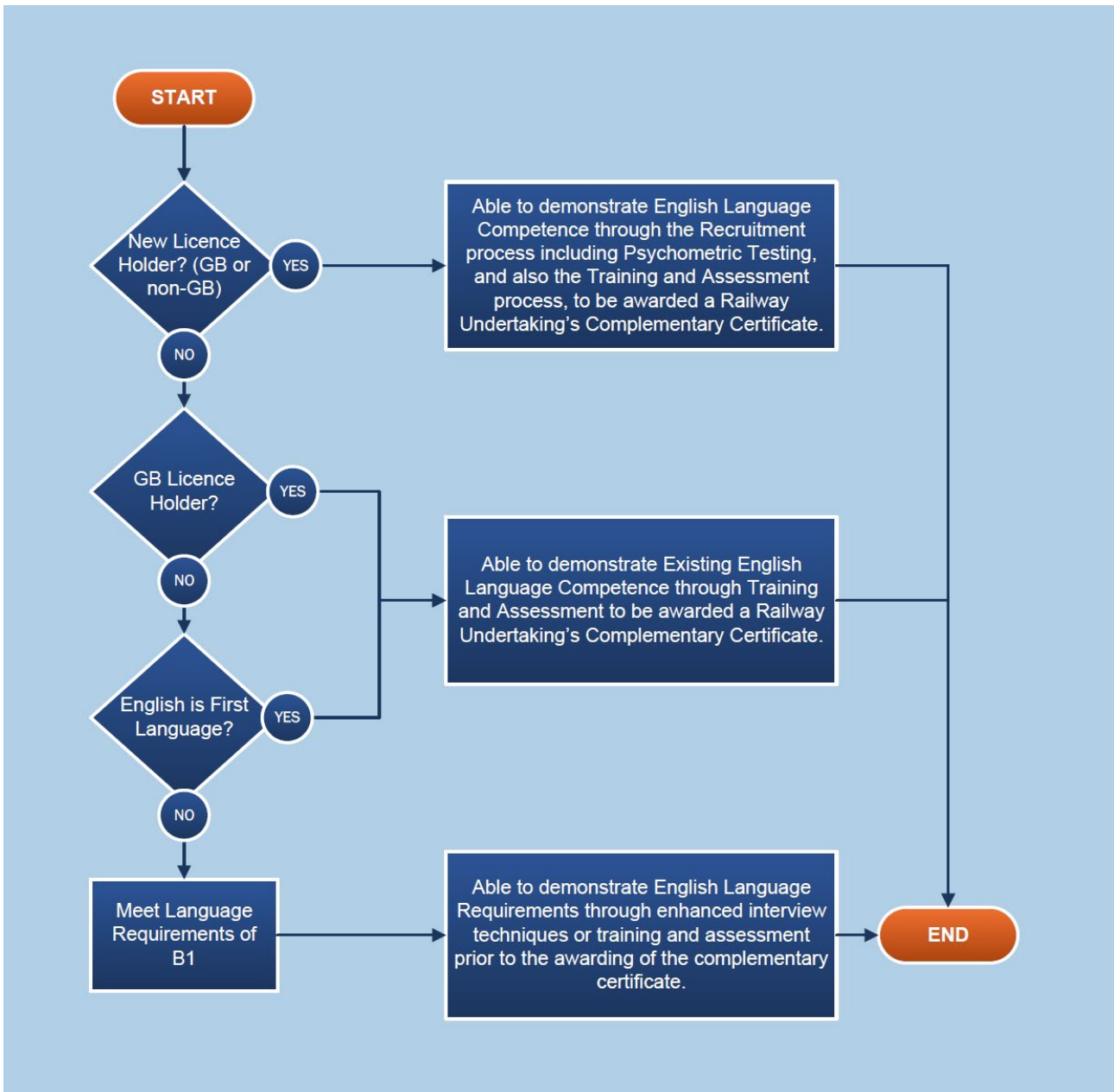


Figure 1: Meeting the requirement that the individual can understand (both listening and reading) and communicate (both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe.

3 Recognition of Doctors, Psychologists and Training and Examination Centres

3.1 Applications for recognition

Read in conjunction with: TDLCR Regulations 8 & 23, ORR guide to medical and occupational psychological fitness requirements and ORR guide to training and examination requirements.

If a Railway Undertaking delivers ‘in house’ medical or occupational psychological fitness assessments, then the individuals undertaking such medicals or assessments must meet the requirements of TDLCR and be recognised by ORR. ORR has produced [application forms](#) for recognition and once approved, issues a letter of recognition to the doctor or psychologist assigning a

number to each recognised doctor or psychologist which must be used when carrying out such assessments. The railway undertaking should inform ORR if there are changes to the entries on its register of recognised doctors or psychologists.

If a Railway Undertaking delivers 'in house' training and/or examinations, then their training or examination facilities are required to be recognised by ORR. A railway undertaking may apply for recognition for a training centre or examination centre only or as a combined training examination centre. ORR has criteria for recognition which set out in its guide and the application should set out how the railway undertaking will meet the criteria and ORR may visit training and examination facilities to ensure they are suitable. Once approved, ORR issues a letter of recognition to the railway undertaking assigning a number to each recognised training and examination centre which must be used when carrying out such assessments.

The ORR should be notified when there are changes to the entry on its register, but do not require updates (for instance when new trainers or examiners are appointed). Documents relating to competence management should be kept updated when there are any changes.

If the Railway Undertaking uses external providers for medicals, occupational psychological fitness assessments, training and examination, then an application to ORR for recognition is not required. The Railway Undertaking must, however, ensure that any providers used are 'recognised' by the ORR and appear on the public register.

When procuring the services specified above, the Railway Undertaking should make sure that the governance and supervisory arrangements between the staff carrying out medicals, psychological fitness assessments, training and examinations and the recognised doctor, recognised psychologists, recognised trainers and recognised examiners are suitable and fit for purpose.

When procuring either Occupational Health or Psychological Fitness Assessments, Railway Undertakings should make use of RIS-3751-TOM.

There is a [link](#) to the register of recognised doctors, psychologists, training and examination centres on the [ORR website](#).

3.2 Safety Certificate

Read in conjunction with: TDLCR Regulations 7 & 8; ORR guide to training and examination requirements.

Where the training or examination centre is part of a train or freight operating company, and is solely used to train and examine their employees, the request for recognition can be included as part of an application for a safety certificate under The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (as amended). In the case of an established holder of a safety certificate, a statement should be provided to show explicitly how the requirements for training and examination of drivers are met as part of their Safety Management System (SMS). The renewal review of recognition of training and examination centres would be part of the application for a new safety certificate.

4 Guide to Training and Examination Requirements

4.1 Driver training course

TDLCR part 8 Regulation 29 requires that the driver training course meets the requirements of:

- i) Schedule 3 - General Professional Knowledge and requirements regarding the Licence.
- ii) Schedule 4 – Professional knowledge of Infrastructure requirements and Requirements regarding the Train Driving Certificate.
- iii) Schedule 5 – Professional Knowledge of Rolling Stock and requirements regarding the Train Driving Certificate.

Furthermore, Schedule 7 requires that training contains a good balance between theoretical and practical training. It also gives advice that simulators are advocated for out-of-course situations, and

that computer-aided training may be used. For the acquisition of route knowledge, it advocates a combination of riding with another driver in daylight and darkness, along with the use of DVDs and other learning aids. TDLCR Part 8 (29) requires that driver training ‘includes instruction on train driving licences.

Guidance:

Driver training could include a short session on the origins of the legislation, the difference between a licence and certificate, and what the driver’s responsibilities are.

4.2 Driver training centre

In order to carry out training, TDLCR requires that a Railway Undertaking registers with ORR as a ‘recognised training centre’. Registration is valid for 5 years although the ORR will expect TOCs to include its application for extension as part of its Safety Certificate submission rather than a separate application. Once registered, an up to date list of the centre’s trainers should be kept.

4.3 Driver trainers – non licence holders

Parts of driver training may be delivered by a person who does not hold a licence. They will, however, have the required subject knowledge and meet the Railway Undertaking’s CMS requirements in regard to the qualifications to deliver training.

Guidance:

A non-licence holder can deliver classroom-based theory training, or static traction training. This would include subject matter such as rules and regulations, traction show-around and identification of parts, human factors, customer service etc. Use of a simulator as a training aid, or practical training on a line where the operation of train does not require a licence can also be delivered by a non-licence holder subject to the Railway Undertaking’s CMS requirements.

A trainer who does not hold a license cannot deliver any form of practical handling training on the mainline.

4.4 Recognised trainer

Read in conjunction with: TDLCR Regulations 30 & 31.

A ‘recognised trainer’ is a person who can carry out any part of driver training. They must be a licence and certificate holder and have held competence in driving for 3 years. They will have the required subject knowledge and meet company CMS requirements in regard to the qualifications to deliver training and can deliver all aspects of training they are qualified for. Practical training (on the mainline) relating to the (initial) award of the licence and certificate for infrastructure knowledge, including route knowledge and operating rules and procedures may only be provided by a recognised trainer.

Guidance:

For the initial award of a licence and certificate, a recognised trainer can carry out all aspects of training and must be used for practical handling on the mainline railway prior to a trainee being allowed to progress to hours accumulation with a ‘minder’ (Coach). However, with regard to route knowledge, the training referred to in clause 6.1.1 of this document would be (as a minimum) the practical part of ‘principles of route learning’ and the signing of the first route.

The same principle applies to traction. The Practical Handling part of Traction training for the initial award of a certificate must be done by a recognised trainer if carried out on the mainline railway. Subsequent traction training is carried out in line with a Railway Undertaking’s CMS.

Both route and traction knowledge are part of schedules 4 and 5, and therefore the awarding of the complementary certificate. Hence initial training in both must be carried out by a recognised trainer.

The competence to become a Recognised Trainer can be gained from outside the heavy rail sector such as in Light Rail.

4.5 Examination centre

Read in conjunction with: ORR guide to training and examination requirements section 12.

In order to carry out examinations, TDLCR requires that a Railway Undertaking registers with ORR as a 'recognised examination centre'. Registration is valid for 5 years although the ORR will expect TOCs to include its application for extension as part of its Safety Certificate submission rather than a separate application. Once registered, an up to date list of the centre's examiners should be kept.

TDLCR states that the Railway Undertaking must 'devise and approve professional knowledge exams for rolling stock and infrastructure'.

Guidance:

It is expected that most Railway Undertakings will register as 'Training and examination' centres therefore documentation relating to clause 6.2 and 6.5 would be combined.

4.6 Recognised examiner

Read in conjunction with: ORR guide to training and examination requirements section 6.

Examination Centres must ensure that Examiners:

- i) Have a thorough knowledge of the relevant examination methods and examination documents.
- ii) Keep their professional competences regarding the subjects they examine updated.
- iii) Are familiar with the certification scheme for train drivers.

Examiners must be a licence and certificate holder and have held competence in driving, (or a combination of driving and driver management experience) for 4 of the previous 5 years. They will also comply with the company CMS requirements in regard to the qualifications to carry out examinations (and assessments).

If an examiner does not hold the traction or route competence, then another driver is required to be 'present for the examination' (in order to provide the subject matter expertise for the route/ traction being assessed). The examiner can in this instance only make a judgement on areas of competence that they themselves hold.

The lead examiner should not have been involved in the training of a candidate.

A recognised examiner must be used for examinations for the award of the licence and certificate. This includes principles of route learning and initial route and traction knowledge. Subsequent route and traction assessments are carried out in line with a Railway Undertaking's CMS.

Guidance:

If a qualified assessor (in line with the company SMS) supplies evidence to the examiner for instance for route or traction knowledge, the examiner can use this evidence in their decision even if they did not witness the evidence being gathered. In order to make a judgement on evidence gathered without the examiner being present the examiner must have the appropriate qualification; for example, A1 or equivalent.

Lead Examiner – This is where more than one person is involved in the examination(s) and should not have been substantially involved in the training of the candidate. This would not include such as assisting in a traction show round..

The term 'examination' is one used throughout the TDLCR legislation and guidance and signifies the process through which a decision is made on the initial award of a licence and certificate.

The TDLCR legislation and guidance also refers to the ORR document 'Developing and Maintaining Staff Competence' (RSP1) as best practice in competence management. RSP1 refers only to assessments.

The competence to become a Recognised Trainer can be gained from outside the heavy rail sector

such as in Light Rail.

Therefore, for the purposes of this guidance it should be noted that an assessment is the same as an examination both in terms of process and required knowledge and/or performance outcome.

4.7 Dual Role

Read in conjunction with: TDLCR Guidance Annex 'C' & advice from ORR.

A 'recognised examiner' may also be a 'recognised trainer', but cannot examine an individual they have trained.

Guidance:

Provided the differing competence requirements are met a person can carry out both roles. If this is required, for clarity it may be useful if the individual is registered for each role, and that this is shown in the railway undertakings submission statement.

4.8 Driving Instructor

Guidance:

Whilst all driver instructors and minder drivers (or equivalent grade/title) involved in the accumulation of hours for a trainee driver prior to qualification must have a licence, there are no further competence requirements under TDLCR than those already covered in the Railway Undertaking's Competence Management System.

4.9 Professional competence

Read in conjunction with: TDLCR Regulations 30 & 31 TDLCR Guidance Annex 'C' Commission Decision November 2011 Articles 4 & 7 ORR Guidance on Developing and Maintaining Competence.

TDLCR requires that all persons involved in driver training and examinations must have occupational competence in the subjects they deliver and have adequate qualifications and experience to provide training. These will meet the Railway Undertaking's CMS, which should also comply with the requirements of the ORR guidance on developing and maintaining staff competence regarding professional qualifications (principle 6).

4.10 Training trainers and examiners on new rolling stock or infrastructure

Read in conjunction with: ORR Guide to training and examination requirements Section 2.19 and 2.20.

Where new rolling stock is introduced, trainers and examiners should be the first to undergo familiarisation in order to acquire the professional knowledge on new rolling stock before they begin any training of drivers. This might be done on a test track, in a simulator or through the rolling stock manufacturer.

For new infrastructure, trainers and examiners should have undergone a process of familiarisation and development of competence prior to the new infrastructure being brought into use. This is important because as soon as the infrastructure is in use, the requirements of the TDLCR to have knowledge of the specific route before driving trains on it will apply.

5 Awarding of a Train Driver Licence and Complementary Certificate

Read in conjunction with: TDLCR Part 8(29) & (31) and Schedules 3, 4 & 5, Train Operator Guide 1.14 and Chapter 5.

Note: The terms ‘driver’ in the following clauses applies equally to any person employed in an associated role – e.g. driver manager – who maintain train driving competency.

5.1 Overview of the knowledge required for the licence, and the complementary certificate

Licence	Certificate	
General Knowledge (Schedule 3)	Infrastructure (Schedule 4)	Rolling Stock (Schedule 5)
<ul style="list-style-type: none"> Principles of operation Understanding of risks Safe behaviours 	<ul style="list-style-type: none"> How the infrastructure works Route knowledge Operating rules Emergency procedures and degraded working Language skills 	<ul style="list-style-type: none"> How the rolling stock works Carrying out checks and test prior to departure Driving safely Dealing with malfunctions and emergencies

Providing the medical and psychological assessment requirements have already been met, Railway Undertakings can apply for a train driver licence for an individual upon completion of the ‘general knowledge’ (schedule 3). It is up to the individual Company to decide at what point in training this is when schedule 3 requirements have been met. Railway Undertakings must only issue a licence when the individual successfully completes the general knowledge (schedule 3) requirements and passes the relevant examination. The awarding of the licence must be done by a Recognised Examiner. Appendix F sets out this section as a flow chart.

When a driver is issued with their licence, the Railway Undertaking should ensure that they are aware of their responsibilities under the legislation, either through the driver training course or a separate briefing.

Railway Undertakings must only issue a complementary certificate when the individual successfully completes the infrastructure and rolling stock (schedules 4 & 5) requirements and passes the relevant examination. The awarding of the certificate must be done by a Recognised Examiner.

A Driver may have more than one certificate if they work for more than one employer. Railway Undertakings decide an acceptable level of knowledge and performance to prove competence at each stage in line with existing arrangements in their CMS.

Guidance:

This document assumes that the Railway Undertaking will have dealt with the medical and occupational psychological fitness examinations at the recruitment stage (section 4 of this document).

Whilst it is usual in the GB for Railway Undertakings to apply for the licence on behalf of a driver, it is worth noting that the application can be made directly by a driver.

In terms of schedule 3 - this is around principles - one train in a section at any one time, types of signalling, layout of track etc. In other words, this part is NOT route or Traction specific, but a general understanding of principles. The certificate - which the RU awards and covers schedule 4

& 5 is where specific route and traction knowledge applies, for instance different types of block and how they work, the rules that apply to a specific type of signalling, details of different traction types etc. The companies CMS will specify these requirements.

The above covers the initial award of the licence and certificate, for ongoing competence (re-certification) see clause 7.3.

5.2 Existing Train Driver Licence Holders

Read in conjunction with: TDLCR Part 14 Regulation 39.

A driver who transfers from another operator with a train driver licence (including non-GB Railway Undertaking – see Section 4.4 of this document regarding language) will require to be certified under the Railway Undertaking's own competence management system before being issued a complementary certificate. Appendix F sets this process out as a flow chart.

Whilst there is no requirement for an existing driver to have another medical before a licence application, it is subject to the individual meeting the medical assessment requirements – see Part 8 of this document.

There is no requirement for an existing driver to re-sit the psychometric assessment.

For non-ORR issued licences after January 1st, 2021 further guidance will be issued by ORR once EU/UK negotiations have been completed.

5.3 Keeping the Licence and Certificate valid

Read in conjunction with: TDLCR Regulations 12 to 15 TDLCR Directive 2007/59/EU Article 16 ORR Guidance on Developing and Maintaining Competence.

The Directive requires that each Member State's national safety authority should act as the 'competent authority' for train driver licensing and certification. The Office of Rail & Road (ORR) is the National Safety Authority in Great Britain.

In order to keep the licence valid, a driver must pass the regular medical assessments, and keep their competency up to date. Each Railway Undertaking must keep the ORR informed of this information and of any changes to medical fitness or a person who changes employer or ceases work as a train driver.

The Licence is issued by ORR and is valid for 10 years if all requirements are met. It proves a person has passed the medical and psychometric requirements and has general railway knowledge. This licence is valid across the EU until 1st Jan 2021 pending outcome of EU/UK negotiations.

Railway Undertakings must have a procedure for giving their drivers complementary certificates to confirm that they meet the language requirements, and have the skills, knowledge and abilities needed to drive trains for their specific operation. Employers must keep a register of certificates they issue.

The certificates are a standard format across the UK and European Union, and each individual Railway Undertaking will issue a complementary certificate that will detail route and traction knowledge as well as overall competency. This is the authority to drive trains for a specific Railway Undertaking.

5.4 Train Drivers on Hire from Agencies and other Railway Undertakings

If a train driver is on hire from an Agency or another railway undertaking and effectively arranges temporary employment for them then the hiring company is responsible for issuing the complimentary certificate.

If Railway Undertaking "A" asks Railway Undertaking "B" to operate one of their trains over a route that their train driver has a certificate for then Railway Undertaking "A" does not need to issue a complimentary certificate.

If Railway Undertaking “A” pays Railway Undertaking “B” to provide a train driver to drive one of Railway Undertaking’s “A” trains and the train driver has a certificate that covers the route and traction, then Railway Undertaking “A” does not need to issue a certificate.

It is the employment status of the train driver that determines whether there is a need to issue a complimentary certificate or not.

5.5 Updating and re-certification of the Complementary Certificate

Read in conjunction with: TDLCR Regulation 15 & Schedule 6.

Upon successful completion of the Railway Undertaking’s training course and the awarding of a licence and certificate, subsequent additional knowledge such as additional routes and/or traction may be added. Ongoing assessments of competence will also take place in accordance with the RU’s competence management system. These assessments can be carried out by an assessor as determined in the Railway Undertaking’s competence management system.

Routine reassessments of general knowledge are not required if the driver continues to work under a safety management system that ensures drivers remain competent. Reassessment may be needed after an accident or incident, or after a person has not been employed as a driver for a significant period.

Under TDLCR a driver must be re-certified for competence at least every 3 years, this must include rules, route and traction. A Recognised Trainer or Recognised Examiner need not normally be part of the re-certification process. A Recognised Trainer or a Recognised Examiner must be used, as appropriate, if an element of re-training is required following an ongoing assessment of competence.

The ongoing train driving assessments carried out by an assessor meet the requirements of the TDLCR provided the assessor meets the criteria of having the experience of being a train driver or train driver manager for at least four of the previous five years. If the assessor does not meet this criterion then they must be supervised by a recognised examiner.

Re-certification is also required after a driver has not driven the relevant rolling stock, or over a relevant route, for more than one year, (should this competence be required to be maintained).

Guidance:

It may be good practice for the assessor to check on each assessment that the driver is carrying their licence and certificate, and that these are both in date and accurately reflect the driver’s competence. This would assist in complying with TDLCR regulation 17 with regards to monitoring.

The Railway Undertaking’s CMS should detail how competence in rules, routes and traction will be re-certified. In terms of route and traction, it is anticipated that Railway Undertakings will already have minimum frequencies in place to maintain competence, and drivers are aware of their responsibility to request a ‘review’ if the frequency is not maintained.

Therefore, re-certification should assess tasks and knowledge not observed, for instance rules around emergency situations. For rules, routes and traction where competence has been demonstrated and maintained then this process is of re-certification not re-assessment. For re-certification however, a lesser degree of random knowledge checks is advised to ensure that the driver knowledge is up to date.

Sections 7.5.3 and 7.5.4 are new and are based upon the latest discussion with the ORR and are compromises from their original positions of having to use a Recognised Trainer or Recognised Examiner on every occasion.

5.6 Loss of Licence or Certificate

Read in conjunction with: ORR Train Operator Guidance: clauses 2.10 and 2.11 and 5.12 to 5.14.

If a driver reports losing or reports for duty without their licence and/or certificate, then arrangements

should be made by the Railway Undertaking for a temporary licence/certificate to be issued.

Guidance:

A system to issue temporary duplicates licence and/or certificate is advised. This would include arrangements for issuing 'Out of hours.' Dating temporary licences and certificates for a maximum of 14 days whilst a replacement is obtained and issued also maintains focus on the issue. If this is not possible, then the duplicate could be re-authorised for a further 14 days. This will ensure that the driver can continue to drive whilst the lost items are being replaced.

5.7 Licence and certificate characteristics

A train driving certificate must show the categories of train which the train driver may drive comprising either or both of:

- i) Category A – shunting locomotives, work trains, maintenance railway vehicles and all other locomotives when they are used for shunting; and,
- ii) Category B – trains for the carriage of passengers or goods or both.

6 Medical Assessments

Read in conjunction with: ORR guide to the medical and occupational psychological fitness requirements.

6.1 Recognised Doctors

Railway Undertakings must make sure that the Recognised Doctor responsible for signing off train driver medicals can demonstrate independence, competence and impartiality. The ORR has established criteria for this, and the Recognised Doctor should be;

- i) A registered medical practitioner with the General Medical Council;
- ii) Qualified in occupational medicine;
- iii) Experienced in occupational health clinical practice;
- iv) Understanding of all the duties of a train driver and experience of the work undertaken in a railway environment;
- v) Working to Schedule 1 of the TDLCR

Recognised doctors are required to have knowledge of railway operations so that they understand the physical requirements of a driver's role, including the functions they may have to carry out during an emergency situation, and are able to assess a driver's fitness accordingly.

Railway Undertakings should make sure that the governance arrangements put in place for the Recognised Doctor to supervise the medical assessments are fit for purpose.

6.2 Medical Requirements

Schedule 1 of TDLCR details the medical examination that a recognised Doctor will apply. To apply for a licence, a driver must have met the medical standard required under schedule 1 of TDLCR carried out or supervised by a person listed by the ORR as a recognised doctor. Upon successfully passing that medical, the driver must comply with the frequency of medical assessments.

6.3 Frequency of medicals

Read in conjunction with: TDLCR Schedule 1.

Railway Undertakings must ensure that re-certification of medical fitness for train driver's takes place every 3 years, and annually after the age of 55 (i.e. in the past year prior to age 56). The Doctor may request a more frequent re-assessment if the health of an individual so requires (review medicals).

6.4 Additional medicals

Read in conjunction with: TDLCR Schedule 1.

Railway Undertakings may request that a medical examination takes place after an occupational accident or any period of absence following an accident involving persons.

Railway Undertakings must ask a recognised doctor to check the physical fitness of the train driver if the employer has withdrawn the driver from service for safety reasons.

The recognised doctor can decide to carry out an additional appropriate medical examination, particularly after a period of at least 30 days' sick leave.

Railway Undertakings may also need a driver to have a medical assessment when one is not due if any of the following apply that would potentially impact on their medical fitness to drive:

- i) Ongoing monitoring and management raise questions about the driver's fitness to drive.
- ii) The driver tells the employer that they have concerns about their own health.

If a train driver passes an additional medical examination before their periodic examination is due but that additional examination does not include all the required elements of the periodic medical examination, then the date of the next periodic medical examination remains three years (or one year if the driver is 55 or older) from date of the last full periodic medical examination. A complete periodic medical examination must be passed at the required frequency to ensure that all the conditions for holding a licence are still being met.

Guidance:

Occupational accident would be a personal accident, and an accident involving a person would be such as a person struck/suicide type incident. The RU should consider whether a medical is required in line with current procedures.

Regarding a post incident medical, it is expected that the Railway Undertaking will have written guidance already in place.

A Railway Undertaking may decide to temporarily remove a driver post incident in order to establish the facts. If the Railway Undertaking then removes the driver from safety critical duties pending completion of the investigation, a medical is required. If the driver is able to return to normal duties after the initial fact finding, then a medical is only required if the Railway Undertaking requires it.

6.5 Failure of a medical

Read in conjunction with: Train Driver Licensing Directive Regulation 2.7.

In the event of a driver failing a medical, the ORR must be informed by the Railway Undertaking and the licence status will be changed to 'suspended'.

If there is a possibility of fitness being regained, notification must be given to the ORR that a re-assessment has been passed within 12 months to restore validity. If the re-assessment is likely to be after 12 months, but there is every likelihood that the train driver will regain their fitness, the ORR will treat this sympathetically.

If there is no possibility of fitness being regained the ORR will change the licence status to 'withdrawn'.

6.6 Train Drivers who are pregnant

Read in conjunction with: Train Driver Licencing Directive Regulations 2.10 – 2.11.

Railway undertakings should consider whether any pregnant train drivers remain fit to carry out driving duties (for example where a pregnant train driver suffers from morning sickness to an extent which could affect their fitness to drive trains). If a train operator considers that the driver is not fit for driving duties, then temporarily removing the driver from driving duties should be considered.

7 Driver Licences – Amendments and Withdrawals

7.1 Railway Undertaking contact

Guidance:

In order to comply with the requirements of the TDLCR guidance with regard to notifying the ORR of the following, it may be of benefit for a Railway Undertaking to clearly identify who in the organisation is responsible for:

- Liaison with the ORR regards licence applications and completion of the application form
- Once the licence is received from the ORR sending the licence to the employee
- Collation of all necessary information and issue of licences and certificates
- Revising and updating of licences
- Renewal of licences
- Withdrawal of licences
- Liaising with area/local managers (as appropriate) for information updates.

7.2 Revised Licence

Read in conjunction with: Train Operator Guidance Chapter 3.

- 9.2.1 A revised licence must be applied for if
- i) The driver's name changes.
 - ii) The driver needs a new photograph on the licence.
 - iii) The driver's medical details relating to sight or hearing need to be changed.
 - iv) The licence needs to be renewed after 10 years.
 - v) The licence is lost, stolen or destroyed.

Whilst awaiting the new licence the driver can continue to use the existing one or copies of the relevant documentation.

7.3 Updating a Licence – keeping the ORR informed of changes

Read in conjunction with: Train Operator Guidance Chapter 3 and 4.

9.3.1 The Railway Undertaking must inform the ORR in the event of a change in circumstances that requires the register to be updated, these changes are:

- i) Driver leaves the Company or moves to another role where it is no longer required.
- ii) An existing driver from another train operator transfers to the Company.
- iii) A licence was applied for a trainee driver, but the trainee fails to qualify as a driver.
- iv) A driver has suffered a work incapacity for a period of more than 3 months.
- v) An amendment to the driver's personal details.
- vi) The death of a driver.
- vii) Notification of the results from a driver periodic medical

Guidance:

The ORR has requested that Railway Undertakings 'batch' this information by sending them information to update the licence database on a three-monthly basis.

Common practice is for RUs to do this on behalf of the driver, but it should be noted that some of the requirements contained within the legislation place responsibilities on the driver.

7.4 Withdrawal of a Driver Licence

Read in conjunction with: ORR guide to the suspension and withdrawal of licences.

The Driver Licence belongs to the driver, and as such a Railway Undertaking cannot withdraw the licence. If a Railway Undertaking becomes concerned that a driver is no longer competent, or is not medically or psychologically fit to drive trains for the following reasons:

- i) Monitoring the driver under safety or competence management systems.
- ii) Following an investigation into an accident or an incident.
- iii) Where issues relating to the driver's health are identified by other means.
- iv) Where a driver's misconduct or involvement in a criminal activity raises questions regards their general suitability.

The Railway Undertaking must inform the ORR in writing and provide evidence of its reasons for suggesting withdrawal.

7.5 Appeals against the withdrawal of a Driver Licence

Read in conjunction with: ORR guide to the suspension and withdrawal of licences.

If the ORR suspends a licence, they will inform the train driver what is required to get their licence back. The ORR will withdraw a licence if:

- i) A recognised doctor or psychologist tells them in writing that a driver is no longer fit to drive trains, and will not become fit to drive again, or
- ii) If the licence has been suspended for 12 months and the driver has not taken the necessary action to get their licence back.

If a driver has had their licence withdrawn, they will need to apply for a new licence if they want to drive trains again. However, they would need to provide evidence that circumstances had changed to enable this to occur.

If a driver wishes to appeal against the withdrawal of their driver licence this must be made to the secretary of State for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR.

Guidance:

There is no requirement for the ORR to inform a Railway Undertaking regarding the details of the above.

8 Train Driver Certificate; Amendments & Withdrawal

8.1 General Information

Read in conjunction with: TDLCR Guidance Chapter 2.

The Train Driver (complementary) Certificate is issued by, and remains the property of, the Railway Undertaking who issues it.

If a driver leaves the employment of a Railway Undertaking, the certificate immediately ceases to be valid and should be returned to the Railway Undertaking; however, the driver must be given a certified copy of their train driver certificate – refer to Annex C of the TDLCR guidance.

Drivers employed under contract, either independently or through an agency, may find that their work for a train operator frequently ends and starts again. To deal with this situation, TDLCR states that if the driver returns to the employer within 12 months, the Railway Undertaking can choose to 'reactivate' that driver's certificate and re-issue it, as long as the employer is satisfied that the driver is still competent.

Guidance:

When a driver leaves a Railway Undertaking, they keep the licence as it belongs to them. The Railway Undertaking must give them a certified copy of certificate, using the form in Annex C of the TDLCR guidance, whether or not the driver is going immediately to another driving position..

8.2 Amendments to the Certificate

Read in conjunction with: TDLCR Guidance Clause 5.22 - 23.

If a driver fails to maintain competence due to an assessment failure or no longer signing a route or traction, the certificate should be suitably endorsed. Failing to maintain one element of competence (for example no longer signing a particular route) does not mean that the driver's entire certificate has to be removed. Instead, a note should be made on the certificate to show that that competency is no longer held.

8.3 When a Certificate is not required

Read in conjunction with: TDLC Regs 4(7) & (8) Train Operator Guide 1.11.

Infrastructure managers are not responsible for the licences and certificates of train drivers employed by others who use their infrastructure. The TDLCR allow for specific situations where a train driver need not be authorised by a certificate to drive on specific infrastructure provided that the infrastructure manager in question is given prior notice. The situations covered by this are set out in TDLCR and include:

- i) the re-routing of a train (as specified by the infrastructure manager) where there has been disruption to services;
- ii) exceptional one-off services which use a historical train;
- iii) exceptional one-off freight services agreed with the infrastructure manager;
- iv) the delivery or demonstration of a new train, and
- v) services to enable the training or examination of a driver.

Except for the situation in the first bullet point above, the infrastructure manager should be given prior notice by a railway undertaking and the driver should be accompanied and supervised by another train driver in the cab who holds a licence and a certificate for that specific infrastructure. "Prior notice" arrangements may be carried out on an ad hoc one-off basis or be dealt with under longer-term agreements between infrastructure managers and operators.

8.4 Withdrawal or Suspension of the Certificate

Read in conjunction with: TDLCR Regulation 5(16) A guide to the certificate appeals process.

It may become necessary to temporarily suspend or withdraw the certificate, or for the suspension/withdrawal to be permanent, Railway Undertakings should have a system in place to manage this.

The ORR should be informed should a TOC suspend or withdraw a Certificate for any reason.

Following a decision to withdraw a certificate following an investigation, the train driver is still entitled to receive, upon request, a certified copy of the certificate. It is suggested that in these circumstances that the certificate be endorsed to state that the train driver is no longer competent.

Guidance:

TDLCR is mainly silent on this subject, but it is expected that Railway Undertakings already have established systems in place should it be necessary to remove a driver from driving duties for any reason. There is a requirement in clause 3.9 of the TDLCR guidance that if an assessment is failed then retraining and re-assessment is needed. The Railway Undertaking's competence management system will likely cover this in line with the ORR Guidance on Developing and Maintaining Competence principle 12 managing sub-standard performance.

If a Railway Undertaking removes a certificate temporarily pending completion of an investigation,

they do not need to inform the ORR until the investigation is complete and the removal is permanent).

A Railway Undertaking must give written notice to the ORR when a person ceases to be employed by them as a train driver.

8.5 Appeal against the withdrawal of a Driver Certificate

Read in conjunction with: TDLCR Part 4(11) A guide to the certificate appeals process.

If a driver wishes to appeal against the withdrawal of the complementary certificate, the Railway Undertaking must have a system in place to allow this. The way in which an appeal is made should be published on the Company website and in the appropriate employee handbook.

If the driver is not satisfied with the outcome of the withdrawal of a certificate they may appeal to the ORR. However, the ORR will not consider any appeals until all internal appeals procedures have been followed and completed.

It is likely that appeals heard by ORR will relate to questions of process, fairness or impartiality. The appeal panel can only consider an appeal under TDLCR if it is about:

- i) an unreasonable amount of time taken to issue the certificate i.e. over one month;
- ii) a decision not grant an application for a train driving certificate or its update or renewal; or
- iii) a decision to suspend or withdraw a train driving certificate.

The ORR will not hear appeals relating to a certificate being withdrawn if it is as a result of:

- i) A medical or psychological assessment carried out by, or supervised by, a recognised doctor or psychological practitioner; or
- ii) An assessment of competence carried out by, or supervised by, a recognised training centre and/or examiner/examination centre.

In these cases, the person or organisation that made the decision should have their own appeal procedure for the driver to follow.

If the ORR decide to hear an appeal, the ORR will write to the affected Railway Undertaking setting out the timescales in which the Railway Undertaking should provide a response to the appeal. The ORR deadline for all representations from the Railway Undertaking and the train driver is set as 20 working days from the issue of the ORR letter to proceed with the appeal.

Guidance:

It could be beneficial if a Railway Undertaking's internal SMS states that it requires an examiner to make or supervise final decision on competence (see also sections 7.5.3 and 7.5.4.). This may be through a decision of 'not yet competent' following an assessment or following a safety of the line incident where competence has been brought into question.

If this is not followed, then it exposes the Railway Undertaking to the possibility that an appeal could be heard by the ORR.

9 Records

9.1 Requirement to keep records

Railway Undertakings are required to keep a register of all complementary certificates issued, and the details including the issue, suspension and withdrawal of certificates.

Railway Undertakings must grant reasonable access to relevant data upon request from the ORR, the competent authority of another member state (further guidance will be issued by ORR once EU/UK

negotiations have been completed), or the train driver concerned.

Records of all data relating to driver certificates shall be kept for at least 10 years from the last expiry date referred to on the certificate or longer if an ongoing inquiry requires it.

10 General

10.1 Contracting in

Read in conjunction with: TDLCR Guidance Clause 1.24 Train Operator Guide 1.12 – 1.15.

Should a Railway Undertaking 'contract in' a driver(s) from another Company, they are responsible for ensuring that a driver is licensed and certified in accordance with TDLCR Regulation 4.

Guidance:

If hiring train drivers on an ad hoc or regular contractual basis, the contracting Railway Undertaking must ensure that the driver supplied has a licence and certificate stating that they are qualified to carry out the work required.

Where this happens on a regular basis, then this could be covered in the contractual arrangements between the undertakings.

Ad hoc hire could be added to such a contractual agreement. However, if ad hoc hire occurs on occasion with another Railway Undertaking for which no such contractual arrangement exists, then a system should be in place for the contracting Railway Undertaking to satisfy themselves that any driver hired is licensed and certified for the intended work.

It is expected that contracting Railway Undertakings would have a system in place to assure themselves periodically that any suppliers with whom a contractual arrangement exists are meeting the relevant legislation and procedures, perhaps through an audit.

10.2 Franchise Change

When a company operating a route/franchise changes, ORR will update the employer's details for all the drivers employed by the new company on receipt of a request from that new company.

10.3 Website and employee handbook

Read in conjunction with: TDLCR Regulation 11, Train Operator Guide chapter 5, ORR guide to the suspension and withdrawal of licences.

Railway Undertakings are required, under TDLCR, to have as part of the safety management system, and publish on their internal Company website the application procedures for the issue of a train driving certificate, for the updating of the particulars of such a certificate, for the renewal of such a certificate and for the issue of a duplicate certificate.

The website must also detail the availability of an appeal by an employee against a decision by a Railway Undertaking not to grant an application for a train driving certificate, its update or renewal, or to suspend or withdraw a train driving certificate.

Railway Undertakings must also publish in the appropriate employee handbook details of the right of appeal against the withdrawal of a certificate.

10.4 Company safety management system

Guidance:

Compliance with TDLCR could mean amending and/or referencing several existing safety management procedures. These may include, but are not limited to:

- **Management of Signing On For Duty:** with regard to reporting for duty without licence or certificate and a system to manage this
- **Recruitment of Train Drivers:** with regard to use of recognised providers for medical and psychometric assessments, transfer and recruitment of existing drivers from other companies/ employers, exchange of safety related information including the issue or receipt of certified copies of the train driver certificate
- **Training of Train Drivers:** with regard to the contents of the training to comply with TDLCR, the inclusion of training for drivers on TDLCR and their responsibilities, details of whether an ORR approved training centre, what constitutes recognised trainers and examiners, requirements for examiners and examinations in line with TDLCR guidance
- **Competence Assessment of Train Drivers:** with regard to different medical frequencies, re-certification
- **Route & Traction Learning for Train Drivers:** with regard Initial and subsequent routes and traction and who can carry out the examinations and assessments
- **Management of Sub Standard Performance:** with regard to temporary or permanent removal of a certificate
- **Contractual Hiring Arrangements for train drivers:** with regard to ensuring a driver is licensed and certified in accordance with TDLCR Regulation 4.

Note: This list is not exhaustive.

Appendix A: Glossary of Terms

The following terms are used in this guidance. Note: Where applicable, these definitions need to be clearly described in TOC job descriptions and safety procedures

Application for recognition	<p>A document by which a person or entity can provide evidence to the ORR to apply to be a:</p> <ul style="list-style-type: none"> • Recognised Doctor • Recognised Psychological Practitioner • Recognised Training and/or Examination Centre <p>The statement must show how they comply with the legal requirements of TDLCR and the EC Decision 2011/765/EU</p>
Articles	Sub-Sections of chapters in the Train Driver Directive and European Commission Decision Documents
Assessment	<p>Assessment means the process of collecting and judging evidence of a person's performance against a standard in order to determine whether the person has demonstrated competence.</p> <p>Evidence can include direct and indirect observations, written records, logbooks, practical and written tests and answers to questions. Assessment should be based on performance in the workplace, wherever possible (source RSP1).</p> <p>For the purposes of this guidance, it should be noted that an assessment is the same as an examination both in terms of process and required knowledge and/or performance outcome.</p> <p>See also examination</p>
Assessor	Assessor is a person who carries out an assessment by judging the candidate's evidence against the standard and decides whether the candidate has demonstrated competence (source RSP1).
Competence	<p>The ability to perform activities to the standards expected in employment; it is a combination of practical and thinking skills, experience and knowledge (source RSP1).</p> <p>Competence assessment – see Assessment</p>
Competence management	The process of getting staff to be competent, followed by competence assessment and reassessment, and maintaining staff competence (source RSP1).
CMS	Competence management system means a process to develop and maintain staff competence, that includes risk assessments of activities, selecting suitable standards and using procedures and appropriate methods to carry out competence management, maintaining records, carrying out verification, audits and reviews of the system and feeding back recommendations to improve the system (source RSP1).
Cross-Border Driver	A person who drives trains both on mainline railways in Great Britain and across borders in at least one other member state.
(Domestic) Driver	A person who drives trains on the mainline railway solely within Great Britain.
Driver Instructor (or equivalent grade/title)	A person who mentors the trainee driver through the main practical handling part of driver training (accumulation of hours).
Driver Licence	Issued by the ORR upon proof of meeting the requirements of schedule 3 of TDLCR – General Knowledge. Valid for 10 years as long as licence requirements are met.
Driver Complementary	Issued by a Railway Undertaking upon successful completion of schedule 4 (infrastructure) and schedule 5 (rolling stock). Valid as long as Company

Certificate	SMS requirements continue to be met.
Driver Complementary Certificate – Certified Copy	Issued when a driver leaves a Railway Undertaking using the form in Annex C of ORR’s guide for train operators
E. R. A.	European Union Agency for Railways
Examination	<p>An examination is organised to examine a train driver’s competence in accordance with Article 25 of Directive 2007/59/EU.</p> <p>This relates to the awarding of a driver licence (schedule 3) and the certificate (schedule 4 & 5).</p> <p>Regarding Practical Examinations - Commission Decision of 22/11/2011 states in Article 8 clause 2 that if an examiner does not hold the traction or route competence then another driver ‘shall be present for the examination in accordance with Article 4(2)(e) of Directive 2007/59/EC’.</p> <p>If a qualified assessor supplies an evidence pack to the examiner for an examination, the examiner can use this evidence in their decision even if they did not witness the evidence being gathered. In order to make a judgement on evidence gathered without the examiner being present the examiner must have the appropriate qualification; for example, A1 or equivalent.</p> <p>For the purposes of this guidance, it should be noted that an examination is the same as an assessment both in terms of process and required knowledge and/or performance outcome.</p> <p>See also Assessment</p>
Examiner	See Recognised Psychological Practitioner, Recognised Doctor, and Recognised Examiner
Infrastructure Manager	Network Rail or other responsible body for maintaining the railway permanent way
Mainline Railway	Network Rail Infrastructure in England, Wales and Scotland
Monitoring	Observing the performance of someone working, it can be formal (e.g. planned in advance), informal (e.g. managing by ‘walking about’) and unannounced (e.g. planned monitoring, but the place, date and time not announced beforehand) (source RSP1).
Non-registered Trainer	A person who meets the requirements of a Railway Undertaking’s CMS, but NOT those of a recognised Trainer under TDLCR. They are authorised to carry out theory/classroom-based training, and practical training on infrastructure for which a licence is not required.
Non-registered examiner (assessor)	A person who meets the requirements of a Railway Undertaking’s CMS, but NOT those of a recognised Examiner under TDLCR. They are authorised to carry out assessments in line with the Railway Undertaking’s CMS, but NOT examinations involved in the initial award of a driver licence or certificate.
ORR	Office of Rail and Road (the independent safety and economic regulator for <i>Britain’s</i> railways). The ORR is also the National Safety Authority (NSA) for GB
Practical Training	Training relating to infrastructure knowledge, including route knowledge and operating rules and procedures. Training which relates to the award of the certificate may only be provided by a recognised trainer.
Railway Undertaking (RU)	<p>The organisation that holds a safety certificate issued by:</p> <p>The ORR in line with regulation 7 or regulation 9 of the Railways and Other Guided Transport Systems (Safety) Regulations 2006 as amended</p> <p>The intergovernmental commission in line with the requirements of article 39(i) of the schedule to the Channel Tunnel (Safety) order 2007 as amended</p>
Re-certification of the	A driver licence is valid for 10 years from the date of issue.

Driver Licence	In order for the licence to remain valid, the driver must successfully meet the requirements of the Company CMS and the relevant medical standards.
Re-certification of the Driver Certificate	Schedule 6 of TDLCR requires that the minimum frequency of re-certification is every 3 years. It also requires that this re-certification includes operational rules, route and traction knowledge. Re-Certification is also required after a driver has not driven the relevant rolling stock, or over a relevant route, for more than one year, should this competence be required to be maintained.
Recognised Doctor	A medical practitioner whose name appears in the register of doctors that the ORR has published under TDLCR
Recognised Examination Centre	An organisation whose name appears in the register of examiners and examination centres that ORR has published under TDLCR
Recognised Examiner	A person who has: <ul style="list-style-type: none"> • A thorough knowledge of the relevant examination methods and examination documents; <ul style="list-style-type: none"> ○ kept their professional competencies regarding the subjects they examine updated; and ○ familiarity with the certification scheme for train drivers. <p>Examiners must be a licence and certificate holder and have held competence in driving for 4 of the previous 5 years. Each company should keep an up to date list of their examiners as part of their submission statement.</p>
Recognised Psychological Practitioner	A person who holds the British Psychological Society Certificate in Occupational Testing (Level A or Level 2) , is on their register of qualifications in test use, and whose name appears in the register of psychological practitioners that we (ORR) have published under regulation 23(1) of the Train Driving Licences and Certificates Regulations 2010'.
Recognised Trainer	Must be a licence and certificate holder and have held competence in driving for 3 years. Each company should keep an up to date list of their trainers as part of their submission statement.
Recognised Training Centre	TDLCR requires that an organisation that delivers training to train drivers register with ORR as a 'recognised training centre'. The legislation states that the Training centre(s) must have an effective management structure which ensures that trainers are competent and have adequate qualifications and experience to provide training. Training Centres must ensure that they provide competence management, on-going training and measures to keep professional skills updated for trainers. Training methods, tools and equipment must also be current, including training literature, training software, and documents such as rulebooks on operational rules, signals or safety systems. The submission statement is used to document how companies meet these requirements for the ORR.
Regulations	Rules that derive their authority from legislation. <i>Regulation</i> are enforced usually by a <i>regulatory</i> agency formed or mandated to carry out the purpose or provisions of legislation (in the case of TDLCR this is the ORR).
ROGS	Railway and Other Guided Transport Systems (Safety) Regulations 2006 as amended
RSP1	The ORR publication 'Developing and Maintaining Staff Competence'
Schedules	There are 7 Schedules that support TDLCR and give detailed requirements for each subject matter: Schedule 1 – Medical Requirements Schedule 2 – Community Model of the Licence and Certificate Schedule 3 – General Professional Knowledge & Requirements

	<p>Regarding the Train Driver Licence Schedule 4 – Professional Knowledge of Infrastructure and Requirements Regarding the Train Driving Certificate Schedule 5 – Professional Knowledge of Rolling Stock and Requirements Regarding the Train Driving Certificate Schedule 6 – Frequency of Examinations Schedule 7 – Training method</p>
TDLCR	Train Driving Licences & Certificates Regulations 2010 as amended
Tests	Ongoing checks through training to ensure a trainee is learning and retaining the relevant knowledge prior to examination
Train Driver Directive (the Directive)	<p>European Commission Directive 2007/59/EU which relates to certificates for train drivers operating locomotives and trains on the railway system in the European Community.</p> <p>This is supported by European Commission Decision 2011/765/EU which relates to the criteria for the recognition of training centres who are involved in the training of train drivers and for the recognition of examiners of train drivers.</p> <p>See ORR guidance for other European legislation relating to train drivers.</p>

Appendix B: References

Legislation	Train Driver Licences & Certificates Regulations 2010
Legislation	Train Driver Licences & Certificates (Amendments) Regulations 2015
Legislation	Train Driver Licences & Certificates Regulations Guidance 2015
Directive	Directive 2007/59/EC of the European Parliament
Commission decision	Commission decision of 22 nd November 2011
RSP1	ORR Guidance on Developing and Maintaining Staff Competence
RIS - 3451 -TOM	Train Movement Staff Suitability and Fitness Requirements
GO/RC 3561	Recommendations for Train Movement – Staff Suitability and Fitness Requirements
RIS - 3751-TOM	Rail Industry Standard for Train Driver Selection
Company SMS Documents	<p><i>Procedures relating to the following may be applicable:</i></p> <ul style="list-style-type: none"> Management of Signing on (with regard to reporting for duty without licence or certificate) Recruitment of Train Drivers Training of Train Drivers Competence Assessment of Train Drivers Route & Traction Learning for Train Drivers Management of Sub-Standard Performance <p><i>Note: this list is not exhaustive</i></p>

Appendix C: Compliance Check Against the Requirements of TDLCR

Audit Protocol – ORR Recognition (Application)

		ORR's Recognition Procedures	Answer
1	Medical guide and T/Exam guide and all refs. below	Have you completed an application to ORR to seek recognition on to the ORR Register for: <ul style="list-style-type: none"> • Medical Assessment • Occupational psychological fitness Assessment • Training • Examination 	Use ORR application form for doctor/psychologist recognition and for training/examination centres the application should demonstrate how the railway undertaking meets ORR's criteria for recognition.
2	ORR Guidance Annex C	Have you defined the roles which your Company centres (i.e. training facilities) provide in relation to medicals, pre-employment assessment, training, examination and on-going competency assessment?	Check that the submission statement contains the details as above.
3	ORR Guidance Annex C	Does your application for a training and examination centre include Company-specific details relating? <ul style="list-style-type: none"> • Locations • Staffing • Assessment methodologies • Person specification and competencies of staff used within your training and examination centres? 	Who is responsible for the statement? Is it up to date and regularly reviewed? Does it contain the information above?
4	ORR Guidance Part 5	Have you checked whether the psychologists or Doctors you employ or use under contract have been recognised by ORR (or the assessor is supervised by a recognised doctor or psychologist)?	If you contract in any of the services such as medical and/or psychometric services, check the provider is registered with ORR. If they are 'in house' ensure they meet the requirements of TDLCR.

Audit Protocol for Compliance against Train Driving Licences and Certificate's Regulation's (TDLCR) 2010

	Railway Undertaking Safety Management System
Q1 <i>Article 17 requires RUs to set up procedures – this documented approach is required in Guidance Part 3</i>	Is there a have a documented procedure in place which sets out how the Railway Undertaking will comply with the TDL&C Regulations?
Answer	A safety management procedure covering the subject of driver licence and certificates can clarify responsibilities and ensure the legislation is met. Many RUs may already have a procedure which covered issue of

	their own licences, has this been updated?
Q2 <i>Advisory guidance</i>	Does the procedure document and define? <ul style="list-style-type: none"> • Recognised Doctor • Recognised Psychologist • Recognised Trainer • Recognised Examiner
Answer	Definitions may help the internal reader understand the procedure.
Q3 <i>ORR operator guide, para 2.10-11, chapter 5 Annex D</i>	Does the procedure consider: <ul style="list-style-type: none"> • To whom ORR will issue a Train Driver Licence • Where/how a central record of all Licences & certificates will be stored • A back-up process in the event that the individual's copy is misplaced, issuing a certificate or licence out of hours should a driver report for duty without them, or report that either or both have been lost. • That the EU Driver Licences are issued by ORR and owned by the Train Driver • That the Train Driver Certificates are issued by the Company and owned by the Company
Answer	The above are suggestions of what a RU procedure for TDLCR may cover for clarity
Q4 <i>ORR operator guide chapter 4</i>	Does the procedure cover who is responsible for informing the ORR if you think a licence should be withdrawn, and the reasons why this may be necessary in accordance with the TDLCR regulations?
Answer	This is a requirement of TDLCR and should be taking place
Q5 <i>ORR operator guide paragraph 2.10-11, 5.12 - 14 and train driver fact sheet.</i>	Does the procedure cover what documentation Train Drivers will be required to carry on their person when on duty and in what format? Does the procedure cover who is responsible for briefing drivers on their responsibilities under TLCDR when a licence and/or certificate is issued? Does the procedure state how long a Temporary Licence and/or Certificate is valid for whilst a replacement is obtained and issued? If this is not possible, then the duplicate should be re-authorised by the line manager for a further period (14 days is suggested as reasonable in each case).
Answer	The above are suggestions of what a RU procedure for TDLCR may cover for clarity
Q6 <i>ORR operator guide, chapter 2</i>	Has the Railway Undertaking identified a process for applying for EU Train Driver Licences to ORR on behalf of the applicant? Who is responsible for: <ul style="list-style-type: none"> • Liaison with the ORR regards licence applications • Once the licence is received from the ORR sending the licence to the employee • Collation of all necessary information and issue of licences and certificates • Renewal of licences
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q7 <i>ORR operator guide, chapters 2 and 4</i>	Liaison between are driver management teams and the recruitment team – Does the Railway Undertaking procedure cover who is responsible for: <ul style="list-style-type: none"> • Ensuring all driver licences are applied for in a timely manner and information required is supplied. • Ensuring a certificate is issued upon qualification as a driver. This is at the conclusion of training when all rules, traction and

	<p>practical handling assessments have been successfully completed.</p> <ul style="list-style-type: none"> Ensuring the database is updated if there are alterations to a driver's personal details or competence. Ensuring the database is updated if for any reason the eligibility of the driver to continue holding a certificate or licence is in question, and where necessary ORR are informed
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q8 <i>ORR medical & occupational psychological fitness guide,</i>	<p>Does the Company procedure recognise that periodic medicals are maintained at three-yearly intervals for ALL mainline Train Drivers and operational Driver Trainers/Examiners who have an EU licence, up to the age of 55 and yearly thereafter as from 29th October 2013?</p> <p>And detail who is responsible for managing the administration regards the frequency of medicals, especially the transitional period (two systems running).</p>
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q9 <i>ORR operator guide, chapter 3</i>	<p>Does the procedure cover who will inform the ORR in the event of a change in circumstances that requires the register to be updated, these changes are?</p> <ul style="list-style-type: none"> Driver leaves the business An amendment to the driver's personal details Absence from driving duties for a period of three months or longer due to ill health (in this instance the ORR will suspend the licence and the ORR will require evidence of general competence before the licence is reinstated) Notification of the results from a driver periodic medical The death of a driver A driver moving to another role in the business
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q10 <i>ORR operator guide, chapter 5</i>	<p>Does the procedure document:</p> <p>How the Railway Undertaking will revoke a Certificate for pre-defined scenarios and what action is required with regard to advising ORR where they may need to suspend/withdraw the licence?</p> <p>ORR's process for suspending, withdrawing or reviewing a Licence - <i>The suspension or withdrawal of Certificates will be handled by ORR and the Company</i></p> <p><i>ORR's duties where a 'serious threat' is perceived by ORR?</i></p> <p>Who is responsible for liaising with HR/database administrator team when a Driver Instructor (or driver after 2018) leaves the Company and returns the driver certificate or any certificate or licence is suspended for any reason?</p>
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q11 <i>ORR suspension and withdrawal guide & ORR guide to certificate appeals chapter 2</i>	<p>Does the procedure provide an overview of the appeals process to both the Secretary of State and ORR in relation to Licences and Certificates?</p> <p>Does the procedure detail the internal process for an appeal against the withdrawal of a certificate?</p>
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.

Q12 <i>Advisory</i>	Does the procedure contain supporting documentation in its appendices, such as? <ul style="list-style-type: none"> • Model Licence • Model Certificate • Reference to ORR guidance?
Answer	Documenting in a company procedure may assist.
Q13 <i>Advisory</i>	Recruitment of qualified drivers from other companies -Does the procedure state: <ul style="list-style-type: none"> • Who is responsible for ensuring that Appendix 'B' of RIS-3751-TOM – transfer of safety information for candidate with previous train driving experience - is received and complete? • If the qualified driver already has an EU licence, who is responsible for ensuring they are added to the database? • Who is responsible for checking with the ORR that the licence is still valid?
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Q14 <i>ORR t/exam guide</i>	Does the procedure state who is responsible for ensuring that all newly appointed instructors/trainers/examiners meet the requirements of TDLCR? Has the Railway Undertaking applied for (or is in the process of applying for) an EU Driver Licence for operational Driver Trainers/Managers who hold current driving competency?
Answer	A robust system should be in place with all aware of their responsibilities. Documenting in a company procedure may assist.
Recruitment of Newly Appointed Train Drivers	
Q15	Not used
Answer	Not used
Q16 <i>ORR operator guide, annex B</i>	Is there a process for recording the pre-requisite information on the Train Driver Certificate as required by Regulation 25 of the TDL&C Regulations? <ul style="list-style-type: none"> • Collecting all personal information including languages spoken and 9 years' education • Collecting evidence that the employee has passed the necessary medical requirements and drugs and alcohol screening • Collecting evidence that the employee has passed the necessary psychometric tests • Ensuring that all documentary evidence is checked prior to a certificate being issued
Answer	This is a requirement of TDLCR and should be taking place
Q17 <i>Advisory</i>	Does the application process within the Railway Undertaking procedure consider? <ul style="list-style-type: none"> • When a Train Driver Licence becomes effective • What happens when a trainee driver who has completed their classroom-based training does not progress and complete their full practical handling training and subsequently complete their initial competence assessment And set out the requirements of the 'application form' to ORR whether this is by using the model application form or the online application made through ORR's SharePoint Portal?
Answer	A robust system should be in place with all aware of their responsibilities.
Database of Licence and Certificate Holders	
Q18 <i>TDLCR Part 7 (25)</i>	Have all new Train Drivers appointed who operate on the mainline received a Company-specific Train Driver Certificate (traction and route cards) based on the Model Certificate. Is there in place a database for storing a 'master list' detailing all

	<p>holders of both Driver Licences issued by the ORR and the supplementary Train Driving Certificates that are issued by the Company which ensures:</p> <ul style="list-style-type: none"> • Currency of certificates (route and traction knowledge) • Currency of medical assessments (revised frequency in place) <p>Who is responsible for maintaining the Licence & Certificate Database, ensuring it is kept up to date with current licences and certificates and also updating when suspended or removed?</p> <p>When new routes or traction are learnt after the issuing of a certificate, who is responsible for ensuring all route and traction knowledge is updated on a driver's certificate?</p>
Answer	This is a requirement of TDLCR and should be taking place
Q19 <i>TDLCR Part 4 (11)</i>	Has the Railway Undertaking published on its internal website, application procedures for the issue of a train driving certificate, for the updating of the particulars of such a certificate, for the renewal of such a certificate and for the issue of a duplicate certificate, and indicate on its website the availability of an appeal under regulation 36.
<i>ORR guide to certificate appeals</i>	Has the Railway Undertaking published in the staff handbook details around the right of appeal against the withdrawal of a certificate?
Answer	This is a requirement of TDLCR and should be in place
	Other Safety Procedures Affected
Q21 <i>Advisory</i>	Has the RU considered which other existing safety management procedures may need to be amended following the introduction of the TDLC Regulations?
Answer	<p>This could include recruitment, training, assessment of those with driving competency, route learning for those with driving competency, management of sub-standard performance and signing on duty (with regard to reporting for duty without licence or certificate).</p> <p><i>For instance:</i></p> <p>Does the driver assessment procedure now include as part of driver equipment checks ensuring that the employee has their licence and certificate with them when reporting for duty and when driving trains? Are the certificates checked for accuracy?</p> <p>Does the ongoing (re-certification) assessment process reflect that routes, traction (and language if required) are being assessed in addition to rules knowledge and driving skills?</p> <p><i>Note -This is a requirement – TDCL Regulations Part3 Clause 9 and Part 5 Clause 15</i></p> <p>Does the Company Driver Route Learning procedure cover instructors/trainers/managers route competence? And that a TOC must reassess knowledge of a route after any absence of more than one year over it?</p>
	Driver Training Requirements
Q22 <i>TDLCR Part 8 (29)</i> <i>ORR operator guide paragraph 2.10-11, 5.12 - 14 and train driver fact sheet</i>	<p>TDLCR requires that there is an item on driver training to ensure drivers are briefed on the requirements of the legislation as far as they are concerned. Does the training/briefing include:</p> <ul style="list-style-type: none"> • Completing the licence application form and providing all personal information including their photograph (if driver is to do this themselves) • Carrying the licence and certificate at all times whilst on duty • Reporting the loss/theft of a license or a certificate when booking on for duty. • Reporting not having the licence/certificate when booking on for duty

	<ul style="list-style-type: none"> • Liaising with their line manager to ensure the certificate is correct with regards to route and traction knowledge • Regularly providing evidence of their medical fitness and general competence • Understanding that if the driver considers that their state of health calls into question their ability to drive a train must immediately inform their manager • Notifying the ORR if they change employer
Answer	This is a requirement of TDLCR to ensure that drivers are aware of their responsibilities under the legislation.
Guidance Note	<p>Driver Training</p> <p>The objective of the general training (schedule 3) is to provide general competence on all aspects that are relevant to the train driver's profession. The general training must focus on basic knowledge and principles that are applicable independently of the type and nature of rolling stock or infrastructure. Requirements for training for specific rolling stock or infrastructure are specified in Schedules 4 and 5 of these Regulations.</p> <p>The task analysis and risk assessment carried out by an RU in order to devise their training will determine the degree of knowledge required in each subject area. Knowledge required will be proportional to the RUs rolling stock and the infrastructure over which it operates.</p> <p>For instance, a freight driver will require knowledge of loadings in a way a passenger driver would not need to know. The difference in train handling for MPVs with a full water tank, and then reducing should be included within the risk assessment and subsequent training, as the train handling characteristics changes with the change in load. For a passenger service stopping points on platforms and the platform train interface would warrant specific attention. In terms of infrastructure, different types of block working will require different information to be given.</p> <p>The control measure is ultimately the RU's own CMS, which will have a proven level of the knowledge required to establish competence through the meeting of specific performance criteria.</p> <p>It is worth noting that ORR do not set pass/fail criteria for licence knowledge – but they will ensure that train operators have developed a recognised, sensible and robust approach as part of their safety management system.</p>
	TDLCR Schedule 3 (2015 Amendments) Requires that Driver Training Covers the following:
Q23 TDLCR Schedule 3 (2015 Amendments)	<p>In relation to a driver's work, the work environment, the driver's role and responsibility in the process of rail operation, the professional and personal demands of a driver, the driver must have:</p> <ul style="list-style-type: none"> • Knowledge of the general thrust of legislation and rules applicable to rail operation and safety (requirements and procedures regarding the certification of train drivers, dangerous goods, environmental protection, fire protection, etc.) • The specific requirements and professional and personal demands (working mainly on one's own, shift work over 24-hour cycle, individual protection and security, reading and updating documents, etc.) • Knowledge of behaviours which are compatible with safety-critical responsibilities

	<ul style="list-style-type: none"> • Knowledge of medication, alcohol, drugs and other psychoactive substances, illness, stress, fatigue, etc.) • The reference and operating documents (e.g. rule book, route book, driver's manual, etc.) • Knowledge of the importance of being precise in carrying out duties and in working methods • Be able to identify the responsibilities and functions of persons involved • Understand occupational health and safety (e.g. code of behaviour on and near tracks, code of behaviour for getting on and off the traction unit safely, ergonomics, staff safety rules, personal protective equipment, etc.) • Have acquired knowledge of behavioural skills and principles (stress management, extreme situations, etc.) • Have acquired knowledge of the principles of environmental protection (sustainable driving, etc.)
Answer	Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter?
Q24 TDLCR Schedule 3 (2015 Amendments)	In relation to railway technologies, including safety principles behind operational regulations the driver must: <ul style="list-style-type: none"> (a) have acquired knowledge of the principles, regulations and provisions regarding safety in rail operation (b) be able to identify the responsibilities and functions of persons involved
Answer	Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter? e.g. Types and principles of signalling, role of the signaller etc.
Q25 TDLCR Schedule 3 (2015 Amendments)	In relation to the basic principles of railway infrastructure the driver must have acquired knowledge of: <ul style="list-style-type: none"> (a) systematic and structural principles and parameters (b) the general characteristics of tracks, stations, marshalling yards (c) railway structures (bridges, tunnels, points, etc.) (d) operating modes (single track, double track operation, etc.) (e) signalling and train control systems (f) safety installations (hot-axle box detectors, smoke detectors in tunnels, etc.) (g) traction power supply (catenary, third rail, etc.)
Answer	Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter? e.g. What can be found in the railway environment
Q26 TDLCR Schedule 3 (2015 Amendments)	In relation to the basic principles of operational communication the train driver must: <ul style="list-style-type: none"> (a) have acquired knowledge of the significance of communication and the means and procedures for communicating (b) be able to identify persons the driver needs to contact and their role and responsibility (staff of the infrastructure manager, working duties of other train staff, etc.) (c) be able to identify situations/causes that require communication to be initiated (d) understand communication methods
Answer	Does the Driver Training Course cover the above issues and the driver's understanding of the subject matter?
Q27 TDLCR Schedule 3	In relation to trains, their composition and the technical requirements for traction units, wagons, coaches and other rolling stock the driver must:

(2015 Amendments)	<p>(a) have acquired knowledge of the generic types of traction (electric, diesel, steam, etc.)</p> <p>(b) be able to describe the layout of a vehicle (bogies, bodies, driving cab, protection systems, etc.)</p> <p>(c) have acquired knowledge of the content and systems of labelling</p> <p>(d) have acquired knowledge of the documentation on train composition</p> <p>(e) understand braking systems and performance calculation</p> <p>(f) be able to identify train speed</p> <p>(g) be able to identify maximum load and forces at the coupler</p> <p>(h) have acquired knowledge of the operation and purpose of the train management system</p>
Answer	<p>Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter?</p> <p>e.g. Typical train formations, make up of a train, principles of how the braking system works, why have maximum loads/length of trains etc.</p>
Q28 TDLCR Schedule 3 (2015 Amendments)	<p>In relation to hazards involved in railway operations in general the driver must:</p> <p>(a) understand the principles governing traffic safety</p> <p>(b) have acquired knowledge of the risks related to railway operation and the various means to be used to mitigate them</p> <p>(c) have acquired knowledge of safety-relevant incidents and understand the required behaviour/reaction</p> <p>(d) have acquired knowledge of the procedures applicable to accidents involving persons (e.g. evacuation)</p>
Answer	<p>Does the Driver Training Course cover the above issues and the driver's understanding of the subject matter?</p>
Q29 TDLCR Schedule 3 (2015 Amendments)	<p>In relation to the basic principles of physics the driver must:</p> <p>(a) understand forces at the wheel</p> <p>(b) be able to identify factors influencing accelerating and braking performance (weather conditions, braking equipment, reduced adhesion, sanding, etc.)</p> <p>(c) understand principles of electricity (circuits, measuring voltage, etc.)</p>
Answer	<p>Does the Driver Training Course contain details of the principles of the above issues and the driver's general understanding of the subject matter?</p> <p>e.g. friction, kinetic energy (why it can take so long to stop a train), basic use of electricity on both electric and diesel trains, circuit breakers etc.</p>
	<p>Driver Training – TDLCR Schedule 4 Requires that Driver Training covers the following training for specific rolling stock or infrastructure</p>
Q30 TDLCR 2010 Schedule 4	<p>TESTING THE BRAKES</p> <p>Drivers must be able to check and calculate, before departure, that the train's braking power corresponds to the braking power required for the line, as specified in the vehicle documents.</p>
Answer	<p>Does the Driver Training Course cover the above issues specific to the rolling stock the RU operates (static brake tests, brakes isolated etc.)?</p>
Q31 TDLCR 2010 Schedule 4	<p>TYPE OF OPERATION AND MAXIMUM TRAIN SPEED ACCORDING TO THE LINE CHARACTERISTICS</p> <p>Drivers must be able to:</p> <p>(a) take note of information given to them, such as the speed limits or any signalling changes</p> <p>(b) determine the type of running and the limit speed of the train on the basis of the characteristics of the line</p>

Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates?
Q32 TDLCR 2010 Schedule 4	<p>KNOWLEDGE OF THE LINE</p> <p>Drivers must be able to anticipate problems and react appropriately in terms of safety and other performances, such as punctuality and economic aspects. They must therefore have a thorough knowledge of the railway lines and installations on their route and of any alternative routes agreed on.</p> <p>The following aspects are important:</p> <ul style="list-style-type: none"> (a) operational conditions (changes of track, one-way running, etc.) (b) perform a route check and consult the relevant documents (c) identification of tracks that can be used for a given type of running (d) the applicable traffic rules and the meaning of the signalling system (e) the operations regime (f) the block system and associated regulations (g) station names and the position, and distance-sighting, of stations and signal boxes and to adapt driving accordingly (h) transition signalling between different operating or power supply systems (i) speed limits for the different train categories driven (j) topographical profiles (k) particular braking conditions, for example on lines with a steep downward gradient (l) particular operating features: special signals, signs, departure conditions, etc.
Answer	Does the Driver Training Course cover the above issues specific to the infrastructure the RU operates over relevant to the driver?
Q33 TDLCR 2010 Schedule 4	<p>SAFETY REGULATIONS</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none"> (a) start the trains only when all prescribed conditions are fulfilled (timetable, start order or signal, operation of signals if required, etc.) (b) observe trackside and in-cab signals, interpret them immediately and without error, and act as specified (c) run the train safely according to the specific modes of operation: apply special modes if instructed, temporary speed restrictions, running in opposite direction, permission to pass signals at danger, switching operations, turns, running through construction sites, etc. (d) respect scheduled or supplementary stops, and if necessary, perform supplementary operations for passengers during these stops, notably opening and closing the doors
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q34 TDLCR 2010 Schedule 4	<p>DRIVING THE TRAIN</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none"> (a) know the train's position on the line at all times (b) apply the brakes for decelerations and stops, taking account of the rolling stock and installations (c) adjust the running of the train in accordance with the timetable and any orders given on saving energy, taking account of the characteristics of the traction unit, the train, the line and the environment.

Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q35 TDLCR 2010 Schedule 4	<p>ANOMALIES</p> <p>Drivers must be able to:</p> <p>(a) be attentive, insofar as train operation permits, to unusual occurrences concerning the infrastructure and the environment: signals, tracks, energy supply, level crossings, track surrounding, other traffic</p> <p>(b) know particular distances to clear obstacles</p> <p>(c) inform the infrastructure manager as soon as possible of the place and nature of anomalies observed, making sure that the information has been understood</p> <p>(d) taking into account the infrastructure, ensure or take measures to ensure the safety of traffic and persons, whenever necessary</p>
Answer	Does the Driver Training Course cover the above issues specific to the infrastructure the RU operates over relevant to the driver?
Q36 TDLCR 2010 Schedule 4	<p>OPERATING INCIDENTS AND ACCIDENTS, FIRES AND ACCIDENTS INVOLVING PERSONS</p> <p>Drivers must be able to:</p> <p>(a) take steps to protect the train and summon assistance in the event of an accident involving persons</p> <p>(b) determine where to stop the train in the event of a fire and facilitate the evacuation of passengers, if necessary</p> <p>(c) provide useful information on the fire as soon as possible if the fire cannot be brought under control by the driver acting alone</p> <p>(d) inform the infrastructure manager of these conditions as soon as possible</p> <p>(e) assess whether the infrastructure allows the vehicle to continue to run and under which conditions</p>
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q37 TDLCR Schedule 4 (2015 Amendments)	<p>LANGUAGE TESTS</p> <p>The language requirements are as follows:</p> <p>(1) Drivers who have to communicate with the infrastructure manager on critical safety issues must have language skills in the language indicated by the infrastructure manager concerned. Their language skills must be such that they can communicate actively and effectively in routine, adverse and emergency situations.</p> <p>(2) They must be able to use the messages and communication method specified in the Annex to Commission Decision 2012/757/EU concerning the technical specification for interoperability relating to the “operation and traffic management” subsystem of the rail system in the European Union and amending Decision 2007/756/EC(a).</p> <p>(3) Drivers must be able to understand (both listening and reading) and to communicate (both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe(b).”</p> <p>There are two derogations in place that can be utilised in certain circumstances to avoid train drivers requiring level B1, these are:</p> <p>i) Cross border operations only requiring a few miles and with the agreement of the infrastructure manager.</p>

	<p>ii) Pilot arrangements in place and a derogation received by the European Commission utilising approved methodologies such as translation software.</p>
Answer	The Railway Undertaking must ensure that the driver can meet the required standard regarding language. See clause 4 of this document for the details that require consideration.
	Driver Training – TDLCR Schedule 5 Requires that Driver Training Covers the Following
Q38 TDLCR 2010 Schedule 5	<p>TESTS AND CHECKS PRIOR TO DEPARTURE</p> <p>Drivers must be able to:</p> <p>(a) collect the documentation and the necessary equipment (b) check the capacities of the traction unit (c) check the information entered in the documents on board the traction unit (d) ensure, by performing the checks and tests specified, that the traction unit is capable of providing the required traction power, and that the safety equipment is operating (e) check the availability and functionality of the prescribed protection and safety equipment at the handover of a locomotive or at the start of a trip (f) perform any routine preventative maintenance operations</p>
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q39 TDLCR 2010 Schedule 5	<p>KNOWLEDGE OF ROLLING STOCK</p> <p>Knowledge required:</p> <p>(1) To operate a locomotive, drivers must be familiar with all the controls and indicators placed at their disposal, in particular those concerning: (a) traction (b) braking (c) traffic safety-related elements</p> <p>(2) In order to detect and locate anomalies in the rolling stock, report them and determine what is required to repair them, and in certain cases to take action, drivers must be familiar with: (a) mechanical structures (b) suspension and attachment equipment (c) running gear (d) safety equipment (e) fuel tanks, fuel supply systems, exhaust equipment (f) the meaning of markings on the inside and outside of the rolling stock, in particular the symbols used for the transportation of dangerous goods (g) trip registration systems (h) electrical and pneumatic systems (i) collection of current and high-voltage systems (j) communication equipment (ground-to-train radio, etc.) (k) arrangement of trips (l) the constituent parts of the rolling stock, their purpose, and the devices specific to the hauled stocks, in particular the system of stopping the train by venting the brake pipe (m) braking system (n) the parts specific to traction units (o) traction chain, motors and transmission.</p>
Answer	Does the Driver Training Course cover the above issues specific to the

	rolling stock the RU operates over relevant to the driver?
Q40 TDLCR 2010 Schedule 5	<p>TESTING THE BRAKES</p> <p>Drivers must be able to:</p> <p>(a) check and calculate, before departure, that the train's braking power corresponds to the braking power required for the line, as specified in the vehicle documents</p> <p>(b) check the functioning of the various components of the braking system of the traction unit and of the train, as appropriate, before departure, at start-up and during running</p>
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock the RU operates over relevant to the driver?
Q41 TDLCR 2010 Schedule 5	<p>OPERATING MODE AND MAXIMUM SPEED OF THE TRAIN IN RELATION TO THE LINE CHARACTERISTICS</p> <p>Drivers must be able to:</p> <p>(a) take note of information given to them before departure</p> <p>(b) determine the type of running and the limit speed of the train on the basis of variables such as speed limits, weather conditions or any signalling changes</p>
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q42 TDLCR 2010 Schedule 5	<p>DRIVING THE TRAIN IN A WAY WHICH DOES NOT DAMAGE INSTALLATIONS OR VEHICLES</p> <p>Drivers must be able to:</p> <p>(a) use all available control systems in accordance with the applicable rules</p> <p>(b) start the train taking account of adhesion and power constraints</p> <p>(c) apply the brakes for decelerations and stops, taking account of the rolling stock and installations</p>
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q43 TDLCR 2010 Schedule 5	<p>ANOMALIES</p> <p>Drivers must:</p> <p>(a) be able to be attentive to unusual occurrences concerning the behaviour of the train</p> <p>(b) be able to inspect the train and identify signs of anomalies, distinguish between them, react according to their relative importance and try to remedy them, always giving priority to the safety of rail traffic and persons</p> <p>(c) know the available means of protection and communication</p>
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q44 TDLCR 2010 Schedule 5	<p>OPERATING INCIDENTS AND ACCIDENTS, FIRES AND ACCIDENTS INVOLVING PERSONS</p> <p>Drivers must:</p> <p>(a) be able to take steps to protect the train and summon assistance in the event of an accident involving persons on board the train</p> <p>(b) be able to determine whether the train is transporting dangerous goods and identify them on the basis of train documents and</p>

	wagon lists (c) know the procedures relating to the evacuation of a train in case of emergency
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q45 TDLCR 2010 Schedule 5	<p>CONDITIONS FOR CONTINUING RUNNING AFTER AN INCIDENT INVOLVING ROLLING STOCK</p> <p>After an incident, drivers must be able to assess whether the vehicle can continue to run and under what conditions, so as to inform the infrastructure manager of those conditions as soon as possible.</p> <p>Drivers must be able to determine if an expert evaluation is necessary before the train can continue.</p>
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock and infrastructure the RU operates over relevant to the driver?
Q46 TDLCR 2010 Schedule 5	<p>IMMOBILISATION OF THE TRAIN</p> <p>Drivers must be able to take measures to ensure that the train, or parts thereof, does not start up or move unexpectedly, even in the most difficult conditions.</p> <p>Furthermore, drivers must have knowledge about measures which can stop a train or parts thereof in case it has started to move unexpectedly.</p>
Answer	Does the Driver Training Course cover the above issues specific to the rolling stock the RU operates over relevant to the driver?
	Assessment of Managers/Instructors
Q47 ORR T/exam guide. ORR Guidance on Competence Management	<p>Is there an assessment procedure that reflects the competency requirement for Instructors/Trainers/Examiners in order to ensure they continue to keep the competence required by TDLCR?</p> <p>Specifically, this competence must include:</p> <ul style="list-style-type: none"> • Holding an Train Driver Licence and company certificate confirming professional competence as a train driver • Detailing how they will maintain their professional competence on an ongoing basis (and what qualifications are required before a task can be performed) • Detailing how they will maintain their occupational competence on an ongoing basis • Details as to how they are kept updated of any changes to legislation, mandatory procedures, standards, new or modified traction, route alterations, organisational changes, infrequent events (e.g. seasonal issues, accidents and emergencies) and lessons learnt from industry events.
Answer	<p>It is important that there is a set process for the attainment and maintaining of competence both occupational and professional. This document would apply to such as Instructors, Trainers and Assessors in supervisory and management grades. The document should cover the following which are requirements of the ORR Guidance on Competence Management:</p> <ul style="list-style-type: none"> • Principle 5 states you should determine which managers need professional competence (assessor qualification) and ALSO occupational competence (which I would define as rules applicable and driving/traction/route knowledge for the assessment of drivers) • Principle 6 states that 'assessors should be competent'. And that they will require 'occupational competence (related to their knowledge, skills, etc in the activity they are assessing'. Furthermore, it states that Managers who operate the

	<p>competence management system should be trained and their competence updated in line with the new or revised competence management system procedures. Assessors who carry out the assessment of staff should themselves be subject to assessment of their competence with a rigour similar to that used to assess staff. Both their ongoing professional competence as assessors (in the operation of the company system) and their occupational competence (related to their knowledge, skills, etc in the activity they are assessing) should be assessed.</p> <ul style="list-style-type: none"> • Principle 10 states that 're-assessment should be carried out by staff who are competent to undertake the assessment and whose own assessment is current' • Principle 10 also states that 'Staff should not continue to carry out an activity after the expiry date of an assessment until they have been reassessed as competent'
	Depot Drivers & Other Drivers not covered by TDLCR
Q48 ORR operator guide paragraph 1.4-5.	<p>Do the relevant RU procedures detail what if any affect the introduction of the TDLC Regulations have on company Depot (non-mainline) Drivers?</p> <ul style="list-style-type: none"> • Is it clearly stated if they require a licence? • Is it clearly stated if they need to meet the TDLCR medical standards and frequency? • If they do not require a licence is it stated what requirements the company has with regard to recruitment requirements for these drivers? • If they do not require a licence is it clear what requirements company have regarding their ongoing competency including medical fitness requirements and occupational competence
Answer	For those drivers who do not require a licence under TDLCR, does the RU clearly document how they will be recruited, trained and assessed, and the standards they must attain in terms of medical and psychometric assessments.
	Contracting In Drivers From Other Railway Undertakings
Q49 ORR operator guide 5.12-14 and annex C	<p>Does the Railway Undertaking 'contract in' a driver(s) from another Company? If so, how do they satisfy themselves that a driver is licensed and certified in accordance with TDLCR Regulation 4?</p>
Answer	<p>Contractual arrangements are in place where regular hire takes place – where one railway undertakings drivers work another's trains on a regular basis.</p> <p>For ad hoc hire, procedures are in place and are implemented as necessary.</p>

Appendix E: Meeting the TDLCR Regulations for Language Tests

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Background

[Schedule 4, paragraph 8](#) (language tests) of the TDLCR amendments regulations indicates that to receive a European certificate under the regulations a driver needs to exhibit a certain level of spoken and written language (English in the case of GB Rail).

Legislation and regulation

OPE TSI states the language and communication (oral) level qualification in the language (English) should be met to at least level 2 (as described in Appendix E of OPE TSI which is that the individual can cope with simple practical situations, can ask questions, and can answer questions.). (NB: The OPE TSI Section 7 of the OPE TSI requires each member state to submit their implementation plan no later than the 1st July 2017. This does not mean that all member states must be compliant by that date, only that a plan is in place that sets out their implementation and migration towards compliance).

In the implementation plan submitted from GB railway the aspect concerning language and oral communication states elements contained in level three of the language table are met through the GB railway the train driver psychometric selection process as laid out in RIS-3751-TOM. The justification points to two references: the ORR guide to the TDLCR (ORR, 2010) & RIS-3751-TOM (issue 2).

RIS-3751-TOM meets the requirements of new legislation (TDLCR) relating to psychological assessment. The RIS provides an agreed industry method for the psychometric assessment of candidate train drivers who will drive on Network Rail managed infrastructure and is for the rail industry to use if they so choose. Transport undertakings should conduct psychometric assessments as part of the selection of train drivers according to this standard. Section 2.3.1 (Overview of the selection process) states the psychometric assessment process (provided in Table 1 of Appendix A) was designed to cover all of the key aptitudes required for safe train driving. The standardised train driver psychometric assessment process states the following for the communication selection criteria:

Selection criteria	Sub-criteria and definitions	Psychometric assessments
Communication	The ability to read, listen, understand and respond appropriately, and effectively convey information orally and in writing. Foreign language skills (only applicable to cross border drivers operating in Europe) - The ability to communicate in the language indicated by the infrastructure manager concerned on critical safety issues. Their language skills must be such that they: can communicate actively and effectively in routine, adverse and emergency situations; can cope with practical situations involving an unforeseen element; can describe; can keep a simple conversation going.	Multi-Modal Interview (MMI) Optional: Written Communication Test (WCT)

The Multi-Modal Interview (MMI) assesses oral communication and not written communication. Written communication is considered to be important in train driving but not safety critical so it is not included in the core psychometric assessment process. The Written Communication Test (WCT) is recommended as a structured way to assess written communication if required, although it is suggested that results of such assessment should be used to support candidate development through

their training and not used to inform pass/fail decisions within selection.

The Train Driving Licences and Certificates Regulations 2010 (TDLCR) as amended sets out the legal requirements of the licensing and certification system for train drivers in Great Britain. This brings into force the requirements of European Commission Directive 2007/59/EC on the certification of train drivers. Minor changes were made by the Train Driving Licences and Certificates (Amendment) Regulations 2015 which brings into force European Commission Directive 2014/82/EU.

TDLCR Amendments

Article 8 of Schedule 4 (TDLCR amendment regulations 2015) states in point 5:

8. LANGUAGE TESTS

The language requirements are as follows—

- (1) Drivers who have to communicate with the infrastructure manager on critical safety issues must have language skills in the language indicated by the infrastructure manager concerned. Their language skills must be such that they can communicate actively and effectively in routine, adverse and emergency situations.*
- (2) They must be able to use the messages and communication method specified in the Annex to Commission Decision 2012/757/EU concerning the technical specification for interoperability relating to the “operation and traffic management” subsystem of the rail system in the European Union and amending Decision 2007/756/EC(a).*
- (3) Drivers must be able to understand (both listening and reading) and to communicate (both speaking and writing) according to level B1 of the Common European Framework of Reference for Languages (CEFR) established by the Council of Europe(b).*

Level B1CEFR - REFERENCE: Common European Framework of Reference for Languages: Learning, Teaching, Assessment, 2001 (Cambridge University Press for the English version ISBN 0-521-00531-0). Also available on the [Cedefop website](#). This reference provides the descriptions Level B1 as defined in the table below.

Meeting the Level B1 requirement

The psychometric selection process as set out in RIS-3751-TOM assesses oral communication only, through the MMI. It is the opinion of RSSB that to undertake and pass the MMI a candidate would need to be able to communicate at least to the B1 level. Moreover, to undertake the psychometric assessments, the candidate is likely to need at least a B1 level in reading. Although it should be noted that reading is not assessed as part of the process.

Written communication is not assessed as part of the process. Candidates are asked to provide written answers for the Pre-Interview Form for the MMI, but these do not need to be structured sentences and can be answers of a few words. Hence this is not considered a suitable method for meeting the B1 requirement for written communications.

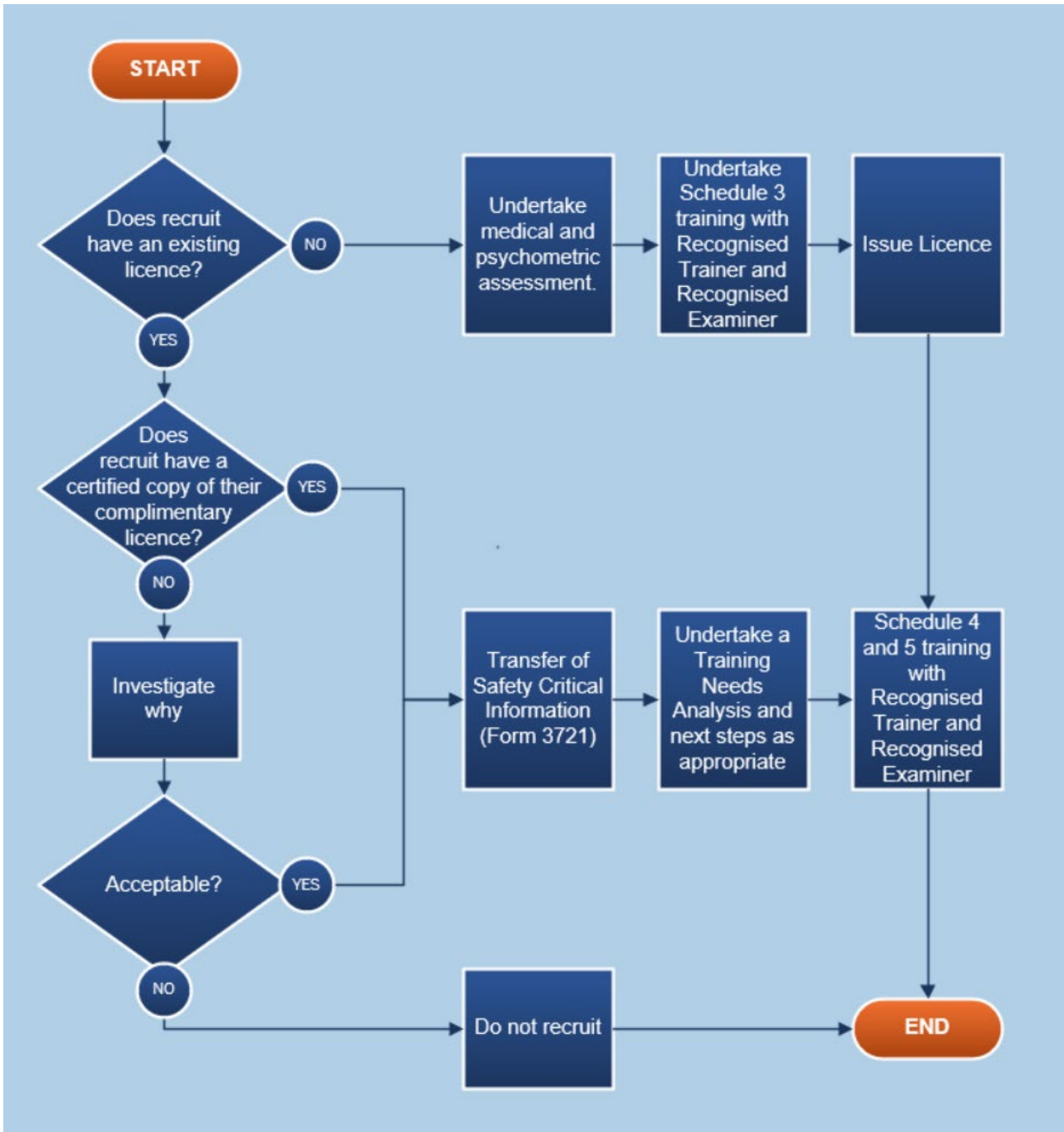
The WCT assess written communication, again at a basic level and relating to a specific piece of information. This test would go some way to meeting the B1 level in written communications. However, RSSB recommends that the test should only be used for developmental purposes, while the test itself does not exhibit the required level of fairness demonstrated by the tests included within the psychometric assessment as laid out in RIS-3751-TOM.

As such it is the opinion of RSSB that to meet the Level B1 requirement for written communications, a rail undertaking can use the WCT but will need to use additional methods to satisfy themselves fully that the requirement has been met. This could be through the selection application form or through activities in the CMS, for example completing their developmental logbooks.

This response is illustrated in the table below.

CEFR Level B1		RIS-3751-TOM
Criteria	Sub-criteria & definitions	Coverage
Understanding	<p>Listening</p> <p>I can understand the main points of clear standard speech on familiar matters regularly encountered in work, school, leisure, etc. I can understand the main point of many radio or TV programmes on current affairs or topics of personal or professional interest when the delivery is relatively slow and clear.</p>	<p>MMI – part of the assessment criteria.</p> <p>Required to undertake the other psychometric assessments</p>
	<p>Reading</p> <p>I can understand texts that consist mainly of high frequency every day or job-related language. I can understand the description of events, feelings and wishes in personal letters.</p>	<p>SJE – not part of the assessment criteria but you need to read the scenarios.</p> <p>Required to undertake other psychometric assessments.</p>
Speaking	<p>Spoken instructions</p> <p>I can deal with most situations likely to arise whilst travelling in an area where the language is spoken. I can enter unprepared into conversation on topics that are familiar, of personal interest or pertinent to everyday life (e.g. family, hobbies, work, travel and current events).</p>	<p>MMI – part of the assessment criteria.</p> <p>Expected throughout the assessment process, e.g. engaging with the assessor/ assessment centre.</p>
	<p>Spoken production</p> <p>I can present clear, detailed descriptions on a wide range of subjects related to my field of interest. I can explain a viewpoint on a topical issue giving the advantages and disadvantages of various options.</p>	<p>MMI – part of the assessment criteria.</p>
Writing	<p>I can write simple connected text on topics which are familiar or of personal interest. I can write personal letters describing experiences and impressions.</p>	<p>MMI (PIF) not part of the assessment criteria but you need to write to complete the form – <u>although very basic</u>.</p> <p>WCT – optional assessment of written communications but not used to make selection judgements. Recommended only for development.</p>

Appendix F: Train Driver Recruitment Flow Chart



Rail Delivery Group



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