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RIMINI

Poisoned chalice or missed opportunity?

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Making rail travel a more attractive choice

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The No.1
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Rimini – poisoned chalice or missed opportunity?

Ladbroke Grove (1999) was a huge shock to the industry and was the first in what seemed like a cascade of major events any one of which would have been a challenge in itself.

Hatfield (2000), new leadership at Railtrack (2001), administration (2001), Potter's Bar (2002), launch of Network Rail (2002), new Rule Book (2003), new standard for risk minimisation (Rimini 2003) and bringing maintenance in-house (2003). These events spawned or accelerated some significant projects many of them designed to change the safety culture within the industry. Rimini and the new Rule Book were two of many but they were probably the most affected as far as trackworker safety was concerned. Their management was undertaken in the full glare of public and political scrutiny and against a background of conflict between innovation and best practice. Innovation is always in conflict with 'best practice'. By definition best practice is what has been done before and with it comes the risk of complacency and unconscious incompetence¹.

It was a very emotional time and the phrase that prompted an emotional response more than any was 'safety first'.

Safety first appeared in every significant document. The actions and behaviour to deliver what they actually mean were very much more complex. With competing needs and apparently changing objectives, career progression and personal success to consider and rather more bullying than anyone dared to admit, the underlying feelings were fear of failure, fear of reprisal, lack of trust, and cynicism. These feelings are very difficult to change. If you can't change the feelings then you don't change behaviour. It is a

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simple as that. If people do not believe that actions will match the words then it is a very long job to convince them otherwise.

In my experience, safety is not a rational subject. It is not rational for a block road man to carry an umbrella in the four foot; it is not rational for a welder to ignore the instructions of the COSS in charge of his workgroup to get out of the way of an approaching train. Safety is reliant on people skills which support good relationships and good decisions made in the interests of the group and not the individual. These skills are communication (mostly listening skills), rapport building, trustworthiness, authority, respect and integrity. Where safety is concerned, relationship skills and quality training which teach those skills are absolutely essential otherwise nothing changes. Good safety behaviour depends on group centered leadership²

Where projects focus on introducing new processes, procedures, rules, more paperwork, more compliance monitoring or increasing the number of safety tours then sustained improvement in safety performance will remain the holy grail. Safe behaviour is the outward expression of the way people feel about themselves and about others in their workgroup.

Safe behaviour, especially in an emergency, is driven by emotions and the shared values of the team. The team dynamics which are developed and nurtured around values, trust, respect and appreciation will define the quality of safety behaviour.

By way of example, I refer you to the investigation report for the track worker fatality at Ruscombe Junction on 29 April 2007³. Page 7, item 8 states that one of the contributory factors was "the relationships and interactions within the team affecting safety decision making" and the report on the trackworker fatality at Trafford Park 26 October 2005⁴, page 7, item 14, bullet point 3 "although all three persons involved were certified COSS and (Personal Track

Safety) PTS, none of them challenged the inadequate safety arrangements in accordance with the training they had received."

What happened to stop three people doing what they had been trained to do? The report suggests they were under time pressure and that commercial issues became more important than operating safely; that technical considerations were more absorbing than staying safe.

Between 1999 and 2004, I worked on over 30 safety projects including the much maligned Rimini. I am by profession a commercial mediator and trainer and I specialise in commercial disputes in regulated industries, transport, IT, telecoms and major projects and organizational disputes around claims of bullying and harassment, performance and competence.

To date I have nearly 700 disputes to draw on including those I mediated whilst working with Network Rail. Almost without exception, disputes arising from projects have issues of competence, communication and performance as significant contributory factors to the dispute. For the most part the project teams were chosen for their technical expertise and/or length of service. They are generally not chosen for their people skills or their ability to communicate, engage, influence and resolve conflict and yet these skills are key to successful project management.

Mediation is a simple process. It is voluntary, confidential, non-judgmental and provides an environment which encourages people to understand what they would do differently given the chance. It is very light on paperwork and focuses on parties communicating with each other in order to improve understanding. Parties are able to make decisions without fear of reprisal or blame and in 80% of cases the process results in settlement even when there are many very complex issues to resolve. Mediation is more successful and less expensive than investigation or litigation because it focuses on resolution and not on apportioning blame. That doesn't mean that things that are wrong don't get changed. On the contrary they are much

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more likely to be identified and understood because of the no blame approach. At the end of a mediation people often take away something that they can implement immediately to improve their business and they know exactly how to do it. Most of all people *feel positive* about making informed decisions rather than having a settlement imposed on them.

Positive emotions are an essential part of competence⁵. They allow people to build on successful outcomes in the past, reinforce successful behaviour and support creative and effective approaches to challenges (which may not be covered in the rules or regulations). One way to generate positive emotions is through appreciation. Genuine appreciation of people's commitment, skills, contribution and courage generates physical well being and reduces stress and anxiety. Appreciation facilitates cortical function by opening up the pathways to the higher centres of the brain where perception, decision making and other cognitive process take place. Fear and anxiety, on the other hand, closes off these pathways and results in basic responses of fight, flight or freeze accompanied by defensive behaviour.

In research, appreciation has been shown to regulate the heart frequency at 0.1Hz resulting in the optimum state for learning and behaviour change also called coherence.⁶ The effectiveness of coherence has been put to practical use on major projects by organisations such as BP, Boeing, Cisco and Shell. A senior manager with Boeing Commercial Airplanes reported that "our focus was both cost and productivity on the 767-400ER program. HeartMath⁷ gave our team the coherence we needed to come in under budget--on time--with productivity gains of up to 12%."

There will be some in the rail industry who would call this 'tree-hugging'! Well if hugging a tree will bring your project in under budget, on time and with a 12% increase in productivity all based on creating positive emotional state then I say 'go hug a tree'!

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From 1999 to 2004, the precise timescale of this inordinately difficult period for the rail industry, I worked closely with many areas of the industry on safety initiatives which included Take Possession, The New Rule Book and the much maligned Rimini. During that time my energies were focused on conflict resolution and most especially the conflict between cost, safety and performance.

I came to understand that the realities of improving safety were actually very well understood by the great majority of the industry and yet the implementation of that understanding was constantly frustrated by fear, disappointment and loss of trust and frequently the lack of integrity in those responsible for the safety of their employees.

The Rimini message was simple. Plan the work. Do the work. Review the plan. That simple process revealed vested interests, created resistance, and prompted rows even at government level. To this day I am not sure if it was a case of people not 'getting it' or if in fact they did 'get it' and understood well how it might affect some profitable practices.

Rimini never added to costs. That was the big myth that was never really challenged. By way of an example it was reported to me that a contractor went to his client and said he would have to raise his quote by 25% because of Rimini. The client accepted

the uplift. The truth is any additional costs were associated with remedial expenditure such as the necessary technology upgrades (access to broadband, proper printers) and the employment of competent people (training) or a price uplift or claim that went unchallenged.

Why was this simple concept such a protagonist for disputes and conflict? Let me ask another question. What turns the holy grail into a poisoned chalice?

Rimini was considered a poisoned chalice. That phrase is used so often in the rail industry I do wonder if people realise the irony of their choice of metaphor. So here is the quote:

*“But in these cases
We still have
judgment here;
that we but teach
Bloody
instructions,
which, being
taught, return
To plague the
inventor: this
even-handed
justice
Commends the
ingredients of
our poison'd
chalice
To our own lips.”*

Shakespeare: Macbeth Act I Scene VII

You should not be surprised that railway maintenance workers have reached the point of taking strike action. Based on their past experiences, they may feel that it is the only choice they have in order that their grievances might be heard by those who have the power and authority to do something about it.

As Bob Crow said in a statement reported in this publication on 8 August 2008: "RMT members have shown the company [Network Rail] how they *feel* by delivering two weekends of rock-solid strike action"⁸

When the union takes up the cause, the membership may feel 'heard' and their grievances appreciated albeit temporarily because the union is not where the power and authority lies to meet the needs of the workforce. It lies with the management of the companies they work for.

When the general economic climate starts to threaten jobs then fear is never very far behind. Fear and a feeling of injustice are prime ingredient for disputes. Pay and conditions are an easy target and yet they are actually more closely related to feeling valued especially when there is a perceived difference in the way that comparable groups are rewarded. Correcting any perception of imbalance will go some way towards remedy - but it will be short lived if the underlying feelings and the associated issues are not addressed.

Despite all its ups and downs the term Rimini is apparently now firmly part of the vernacular. "Have you got a Rimini?" It may yet fulfill its promise.

References

- 1 Learning stages model attributed to Noel Burch
- 2 A leadership model developed by Dr Thomas Gordon
- 3 http://www.raib.gov.uk/publications/investigation_reports/reports_2008/report042008.cfm
- 4 http://www.raib.gov.uk/publications/investigation_reports/reports_2006/report162006.cfm
- 5 The benefits of frequent positive effect: Does happiness lead to success? Lyubomirsky, King, Diener, 2005 Psychological Bulletin, American Psychological Association, Vol.131.No.6.803-855
- 6 Institute of Heartmath. www.heartmath.org
- 7 HeartMath is the system that teaches people how to generate "coherence"
- 8 http://www.railtechnologymagazine.com/dataview/News/News_Article.aspx?location=home&KeyValu e=1351