

**Date:** 22 January 2018

**Item:** Tram Overturning at Sandilands, Croydon on 9 November 2016 – Non-Operational Incident Responses Update

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## **This paper will be considered in public**

### **1 Summary**

- 1.1 This paper updates the Panel on the non-operational activities underway and planned following the Tram overturning and derailment at Sandilands on 9 November 2016.
- 1.2 A separate paper summarises the Rail Accident Investigation Branch (RAIB) investigation into the Tram overturning and derailment, updates the Panel on the findings of TfL's independent investigation and shows progress to date against the recommendations arising from each investigation.
- 1.3 Our thoughts remain with all those affected and we continue to do all we can to offer our support.
- 1.4 We have worked hard to ensure that those affected by the overturning are being provided with all appropriate support and assistance. This has been provided through interim payments, counselling and therapeutic support as necessary. We have also provided support and counselling to staff as required
- 1.5 We are working with the British Transport Police (BTP), London Borough of Croydon, claimants' solicitors and a survivors' group to remain in contact with and offer continuing communications with those affected about the overturning and derailment, the investigations into the causes, the infrastructure and other improvements which have been made, the Coroner's Inquest and the criminal and regulatory steps which have yet to commence.

### **2 Recommendation**

- 2.1 **The Panel is asked to note the paper.**

### **3 Background and Support**

#### **Support**

- 3.1 Our thoughts remain with those affected by the tragic event. We remain focused on doing everything we can to offer support to all those affected and are dealing with requests for support quickly.
- 3.2 TfL's Sarah Hope Line, run by specially trained and dedicated TfL staff, remains available to all those affected to provide practical, financial and emotional help and also to make referrals for counselling and specialised support. The volume of

calls and contacts related to the overturning which are being dealt with by the Sarah Hope line has now reduced. Since the overturning, we have taken more than 450 calls from bereaved families and passengers, and continue to make contact with people periodically to ensure they are continuing to receive the support they need.

- 3.3 In addition to direct contact with those affected, a page was created on the TfL website shortly after the overturning for the purpose of providing access to information and documents and providing up to date information relevant to the incident and the various investigations into the causes of the overturning and derailment: [tfl.gov.uk/modes/trams/croydon-tram-derailment](https://tfl.gov.uk/modes/trams/croydon-tram-derailment). The page will continue to be displayed and updated for the foreseeable future.
- 3.4 Working closely with TfL's insurers and claims handlers and the tram operator, we have been in touch with everyone injured who has notified us of a claim and also with the dependents of the people who lost their lives to confirm that liability is admitted in respect of their civil claims, to offer interim payments and other support with travel and logistical arrangements as needed, such as offers of assisted and subsidised travel for those injured or otherwise affected, to help regain confidence in the system. We are proactively staying in contact with all those affected to be available to provide continued support as and when needed.
- 3.5 To date more than £2.2m has been paid for compensation, counselling, rehabilitation and other activities to support those affected.

### **Lessons Learned – non-operational**

- 3.6 We have reviewed our response to the overturning and derailment from an administrative handling perspective, (as opposed to an incident management or operational perspective):
- 3.7 The review concluded that the Sarah Hope Line operated effectively to co-ordinate contact with those affected and was a visible, identifiable point of contact for relatives of those affected, co-ordinating with other agencies to provide a clear conduit to ongoing support and claims handling. We are now considering what training can be provided to staff within the wider customer contact operation, as well as appointing a standby incident management resource, in order to provide additional support for such incidents in future.
- 3.8 The Gold/Silver/Bronze command structure used in major incidents was implemented effectively. We are now considering enhancing procedures to provide for circumstances where the incident site is not close to the operations centre to strengthen lines of communication and administrative support arrangements.
- 3.9 There have generally been good levels of engagement between all agencies involved and protocols were quickly put in place so that information could be shared appropriately, for example to enable counsellors to be given details of the people they needed to be supporting. We are extending existing standing arrangements for information sharing with agencies to facilitate the handling of major incidents.

- 3.10 We have updated our processes for identifying any customer contact, whether made directly to TfL or to another operator of TfL services, which raises concerns about safety-related issues. This updated process will enable us to undertake more detailed trend analysis and identify circumstances where preventative action might be needed, as well as ensuring we can fully track all responses to such contact from customers;
- 3.11 Our usual processes for handling press matters, including interaction with the press offices of other agencies, have worked well
- 3.12 Some of the initial direct communication with those affected was perceived as impersonal. We are reviewing processes to ensure that communication with those affected is appropriately personal and handled sensitively, particularly where we are unable to make contact directly and instead rely on another agency to make contact.

### **Personal Injury and Fatal Accident claims**

- 3.13 TfL and the tram operator, Tram Operations Limited (a subsidiary of FirstGroup), are jointly insured in relation to the overturning and derailment and have worked together to support the insurers and claims handlers to respond to claims. We have agreed to share equally any costs arising which may not be covered by the insurance.
- 3.14 To date we have received 87 separate claims. Eighteen of those have now been resolved, including two of the claims related to the seven fatalities. Our approach has been to be open to settlement proposals and to ensure that fair settlements are reached.
- 3.15 In total to date, the Sarah Hope Line and insurers have paid over £2.2m in settlements, interim payments, funeral expenses, medical, counselling and therapeutic treatments and legal costs have been paid. We have proactively maintained contact with claimants and their solicitors to keep in touch over their progress with the preparation of their claims, to repeat our offers of interim payments to limit or alleviate financial hardship as far as we can and to look for ways in which we can assist those who have been affected.
- 3.16 We anticipate that the majority of the claims will be settled by the end of 2018.

### **Continuing contact and longer term relationships**

- 3.17 At the request of the partner of one of the seriously injured passengers, the BTP coordinated arrangements for a discussion group for approximately 20 people and their partners to discuss how they can support each other. The organiser reported that the event went well. We proposed a special tram journey for this group which was run and a visit to the accident site arranged in May 2017 for those affected by the incident.
- 3.18 A number of people from that group generously gave their time to participate in interviews about their experience of the incident and the effect which it has had on them and their families. Recordings of these interviews have been used as part of safety training for senior TfL staff

- 3.19 Plans are also being made following the release of the RAIB report for further meetings with others who have been affected.
- 3.20 We are working with the representatives of the families of those who lost their lives in the incident to agree costs for them to be represented at the Coroner's Inquest which will be held at a date yet to be fixed. We will continue to support and assist them as necessary in relation to the Inquest.
- 3.21 Memorials remembering those who lost their lives were unveiled on the first anniversary of the overturning at Sandilands Junction and in New Addington. TfL offered to cover the costs associated with the memorials, but the London Borough of Croydon chose to fund this cost itself.
- 3.22 We recognise that reports associated with the various investigations into the causes of the overturning are distressing to bereaved families and passengers. We continue to work with the BTP, in particular their family liaison officers, to ensure that families and passengers are notified of developments, such as the publication of TfL's independent investigation report undertaken by SNC-Lavalin, in advance.
- 3.23 Where appropriate, we continue to take advice from Kenyon International, a disaster management specialist, to ensure that we manage our response to the tragedy in accordance with best practice. Steps have begun to put in place stand by arrangements with a disaster management specialist on an ongoing basis.
- 3.24 TfL has met with representatives of the London Borough of Croydon several times in the past year to discuss the impact of the overturning on the broader New Addington community and the support that may be required over coming years. A support package is in development with the council.
- 3.25 The use of the Sarah Hope Line and the other non-operational activities which have been undertaken in relation to Sandilands have given rise to a number of lessons learned for TfL but could also provide useful learning which could be shared with other organisations and sectors with responsibilities for major incident response. We will identify appropriate mechanisms to allow that learning to be shared and utilised as far as possible.

**List of appendices to this report:**

None

**List of Background Papers:**

None

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