

Sentinel Scheme Rules

Sentinel Scheme Rules

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Purpose and Scope

The purpose of this document is to define the rules and mechanisms for compliance for the Sentinel Scheme together with the consequences of breaching those rules. This document is not designed to detail the core processes associated with the administration of the scheme.

The rules outlined in this document are mandatory for all parties involved in putting people to work safely on Network Rail Managed Infrastructure (NRMi). The process for investigating suspected breaches of the Sentinel Scheme Rules and the range of possible outcomes for such breaches if proven are also included.

This document applies to all organisations undertaking the role of Sponsor, and to all Individuals holding a valid Sentinel Smart Card, as well as Network Rail Workforce Safety Team as the Sentinel Scheme custodians.

This document does not cover the rules associated with the delivery of track safety training and associated competence interventions. All activities and roles associated with railway training are detailed within the Railway Training Accreditation Scheme (RTAS) Rules. This document also does not cover the rules associated with medical and drugs and alcohol (D&A) providers.

NOTE: Trainers, Assessors and D&A Collection Officers who are required to hold Sentinel Smart Cards are treated as Individuals within the Sentinel Scheme. Training and assessment providers acting as Sponsors are covered by this document.

Sentinel Scheme Rules

1. The Sentinel Scheme Rules

- 1.1 All Individuals must have a Primary Sponsor to be able to use their Sentinel Smart Card to access NRMI. Under the Scheme, an Individual is permitted to have a maximum of one Primary Sponsor and two Sub-Sponsors, dependent upon the Primary Sponsor granting permission for sub-sponsorship.
- 1.2 All Sponsors must be approved, and shall continue to maintain approval through the Sentinel Scheme Assurance Arrangements set out in Section 6 of this document.
- 1.3 All Sponsors must act as Primary Sponsor, and must hold primary sponsorship responsibility for a minimum of 30% of their total workforce, measured periodically.
- 1.4 Where an organisation is the Sub-sponsor of an Individual it has an obligation to update and maintain, all safety related information with the Primary Sponsor.
- 1.5 Sponsors shall freely share information about Individuals, relating to a safety issue or an alleged breach of the Sentinel Scheme Rules with the Sentinel Scheme Administrator and the Network Rail Workforce Safety Team, and must update and maintain records of Individuals in the Sentinel Database in a timely fashion.
- 1.6 Individuals are accountable for providing accurate personal information to their Primary Sponsor and for keeping it up to date.
- 1.7 Alleged breaches of the Sentinel Scheme Rules shall be investigated by the Primary Sponsor. The Sub-Sponsor putting an Individual to work at the time of the alleged breach shall assist in collating information and supporting the Primary Sponsors Local Investigation where applicable.

Where an alleged breach is identified as part of a wider incident investigation, the Primary Sponsor must still instigate the Local Investigation for each Individual to which the allegations relate.
- 1.8 If the recommended outcome of the Primary Sponsors Local Investigation is a Scheme Outcome, the Primary Sponsor shall refer the matter to the Network Rail Workforce Safety Team for a Formal Review. The Network Rail Workforce Safety Team may request further information from the Sponsor and a statement from the Individual as part of the Formal Review process.
- 1.9 Sponsors cannot de-sponsor an Individual for a breach of the Sentinel Scheme Rules without first conducting a Local Investigation.
- 1.10 Primary Sponsors shall always notify the Individual and Sentinel Scheme Administrator of the reasons for de-sponsoring the Individual.

Sentinel Scheme Rules

- 1.11 The decision as to whether to apply a Scheme Outcome is taken by the Network Rail Workforce Safety Team after a Formal Review and is subject to a Formal Review Appeal.

A Formal Scheme Investigation may be instigated by Network Rail Workforce Safety as a result of conducting the Formal Review process. When this occurs, the Formal Review may be suspended pending the conclusion of the Formal Scheme Investigation

- 1.12 Network Rail will conduct any Formal Review Appeal Hearings where a Scheme Outcome has been applied. The panel conducting the Formal Review Appeal Hearing will be independent from the Formal Review panel.

A Formal Review Appeal can only be sought by an individual where there is new evidence or mitigating circumstances that were not presented at the Formal Review.

- 1.13 Where a breach of the Sentinel Scheme Rules by a Sponsor is alleged or suspected, the Network Rail Workforce Safety Team shall conduct a Formal Scheme Investigation into the matter and determine the appropriate outcome.

- 1.14 Where as a result of a Formal Scheme Investigation a company director or senior manager is proven to have breached the Sentinel Scheme Rules, Network Rail Workforce Safety Team will determine the appropriate outcome.

- 1.15 Every Individual has a personal responsibility to comply with health and safety rules including, but not limited to:

- a) No Individual shall undertake or attempt to report for duty, if they have worked on NRMI within the preceding 12 hours (sometimes referred to as double-shifting), unless a risk assessment has been conducted by the Primary Sponsor and suitable controls implemented
- b) No Individual shall exceed the maximum working hours determined by law, Network Rail requirements and the Sponsor
- c) Every Individual has a responsibility to be fit for work, not fatigued by excessive travel, and not under the influence of drugs or alcohol. Individuals shall report anything that may affect their ability to work safely including medication, lack of equipment or personal circumstances
- d) An Individual shall report for duty with the appropriate Personal Protective Equipment (PPE) to enable them to undertake their duties
- e) No Individual shall undertake a task for which they are not competent, do not have the right equipment or the relevant information or local knowledge to complete safely
- f) Individuals shall act in a safe manner at all times when on NRMI, and report any incident, close call or breach of the Sentinel Scheme Rules they are aware of
- g) Individuals shall always carry their Sentinel card when on NRMI
- h) Where accountable; undertaking 100% verification checks on Sentinel smart cards before allowing Individuals to start work.

Sentinel Scheme Rules

2. Roles and Responsibilities

2.1 All Sponsors

The Sponsor putting the Individual to work is responsible for the following, regardless of whether they are a Primary Sponsor or Sub-Sponsor of the Individual;

- Providing the Safety Critical Equipment required to enable the Individual to undertake their competencies trackside and ensuring that it is fit for purpose, in accordance with the Sentinel Management System (see Section 3).
- Maintaining all records associated with any works undertaken by an Individual on NRMI, as is required by the Sentinel Management System (see Section 3).
- Maintaining a minimum contracted insurance level for works undertaken by Individuals being put to work.

2.2 Primary Sponsor

The Primary Sponsor shall establish a 'Contract of Sponsorship' with each Individual they intend to Sponsor.

The Primary Sponsor shall undertake checks of an Individual's suitability to work on NRMI prior to engaging in a Contract of Sponsorship.

As part of the Contract of Sponsorship, Primary Sponsors shall provide Individuals under their Contract of Sponsorship with:

- a) A valid Sentinel Smart Card
- b) An induction briefing which will include as a minimum the rules and responsibilities of the Sentinel Scheme
- c) Suitable PPE, so marked as to identify who an Individual is working for when on NRMI, and suitable training to be able to use that protective equipment effectively
- d) Regular briefings on changes to standards, Rule Book updates and Sentinel Scheme Rule updates
- e) Training and assessment to ensure competence at required intervals
- f) Safety Critical Equipment to enable the Individual to undertake their role (jointly with any Sub-sponsor)
- g) Personal issue information such as handbooks and relevant information
- h) Advice, guidance or instruction on any restrictions based on medication and other medical fitness issues
- i) Mentoring support to develop the competence of the Individual
- j) Clear contractual arrangements between the Primary Sponsor and Individual, and whether Sub-Sponsors are permitted

Sentinel Scheme Rules

Regardless of the employment status of the Individual, the Primary Sponsor through the Contract of Sponsorship shall fulfil the role of the employer for the purposes of health and safety.

The Primary Sponsor which enters into the Contract of Sponsorship with an Individual is also responsible for:

- Monitoring and management of working hours of Individuals under their Contract of Sponsorship. Shifts worked with Sub-Sponsors must be considered in the monitoring of working hours and the management of fatigue
- Agreeing any sub-sponsorship arrangements with the Individual and to grant permission to any Sub-sponsor to use their resources
- Enacting the Local Investigation process where any suspected breach of the Sentinel Scheme Rules becomes apparent
- Collating information from Sub-sponsors to enable conclusion of the Local Investigation.
- Maintaining records of Local Investigations and requesting a Formal Review where a Scheme Outcome is recommended following a Local Investigation
- Providing a reason for de-Sponsoring an Individual
- Conducting a Local Investigation before de-Sponsoring an Individual for any breach of the Sentinel Scheme Rules
- Collating and maintaining all records associated with the Contract of Sponsorship of an Individual as required by the Sentinel Management System (see Section 3)
- Requesting a temporary Suspension or issuing a temporary Take Down of competence pending the conclusion of Local Investigation where appropriate.

2.3 Sub-Sponsor

The Sub-sponsor must request permission to use an Individual from their Primary Sponsor. The Sub-sponsor must receive confirmation of sub-sponsorship status before resourcing the Individual to work.

The Sub-sponsor is responsible for providing all information to the Primary Sponsor to enable the Primary Sponsor to manage the overall safety of the Individual. This includes, but is not limited to information on working hours, safety incidents, competencies used and competence short-falls.

The Sub-sponsor must notify the Primary Sponsor of any alleged breach of the Sentinel Scheme Rules as soon as is reasonably practicable after becoming aware of such allegation, and co-operate in collecting information and evidence to enable the Primary Sponsor to conduct a Local Investigation.

The Sub-sponsor must co-operate with the Primary Sponsor in the management of working hours. Where a risk assessment has been conducted and extra working hours approved, this information must be provided to the Primary Sponsor.

Sentinel Scheme Rules

2.4 Individual Cardholder

The Individual shall carry their Sentinel Smart Card at all times while working on NRMI and will co-operate with their Primary Sponsor to keep the personal information held in the Sentinel Scheme Database and printed on the Sentinel Smart Card up to date.

The Individual shall follow the rules of personal accountability for working safely on NRMI, including compliance with the Lifesaving Rules.

The Individual has a responsibility to manage their Sponsor relationships and at all times when working on the NRMI an Individual has a responsibility to:

- Know the identity of their Primary Sponsor
- Know which Sub-Sponsor they are working for (when they are not working for their Primary Sponsor)
- Provide the correct name of the Sponsor they are working for when booking into site

Individuals are required to notify the Primary Sponsor if they no longer wish to be sponsored by them so that they can be de-sponsored. Change of sponsorship can be requested online through My Sentinel.

Individuals can access their personal records on the Sentinel Scheme Database. This can be requested from their Primary Sponsor, or by direct access to the My Sentinel area of the Sentinel website.

2.5 Network Rail

The Network Rail Workforce Safety Team is the owner of the Sentinel Scheme Rules and responsible for keeping the Sentinel Scheme Rules up to date and available to the industry, Sponsors and Individuals.

Following notification by a Primary Sponsor that a Local Investigation into a breach of the Sentinel Scheme Rules has recommended a Scheme Outcome, the Network Rail Workforce Safety Team will conduct a Formal Review to determine if the recommended Scheme Outcome should apply.

An Individual who is alleged to have breached the Sentinel Scheme Rules will, save for exceptional circumstances, be given the opportunity to submit a written statement to the Network Rail Workforce Safety Team for consideration as part of the Formal Review.

The Network Rail Workforce Safety Team can impose a temporary Suspension on an Individual where appropriate following notification of an alleged breach of the Sentinel Scheme Rules and pending the conclusion of a Local Investigation, Formal Scheme Investigation, British Transport Police Investigation or other investigation. Such Suspensions, if imposed will be regularly reviewed by the Network Rail Workforce Safety Team.

Sentinel Scheme Rules

The Network Rail Workforce Safety Team may instigate a Formal Scheme Investigation if a Local Investigation fails to adequately investigate an alleged breach of the Sentinel Scheme Rules.

The Network Rail Workforce Safety Team may suspend a Sponsor pending the outcome of a Formal Scheme Investigation, British Transport Police or other investigation.

The Network Rail Workforce Safety Team shall hear any Individual appeal against a Scheme Outcome following a Formal Review where new information or mitigating circumstances not available to the Individual at the Formal Review are submitted as part of a request for a Formal Review Appeal Hearing. Appeals must be submitted to the Network Rail Workforce Safety Team within 30 days together with the new information or mitigating circumstances.

2.6 Sentinel Scheme Administrator

The Sentinel Scheme Administrator is responsible for maintaining all records on behalf of the industry through the Sentinel Scheme Database, for providing a call-centre to support Sponsors and Individuals in the management of the Sentinel Scheme records and for giving access to the Sentinel Scheme information.

The Sentinel Scheme Administrators are required to provide Sentinel Scheme Database and access accounts to both Sponsors and Individuals. Accounts will be administered to Sponsors on a request basis and once the assurance arrangements have been satisfied (see Section 6).

Sentinel Scheme Rules

3. Management System Requirements

3.1 Pre-Sponsorship Process

Each Sponsor shall have a process in place for undertaking pre-sponsorship checks for all Individuals. Pre-sponsorship checks shall be undertaken in advance of the Individual undertaking any duties on behalf of the Sponsor.

Before undertaking the role of Primary Sponsor, the following checks shall be completed (as a minimum) as part of the pre-sponsorship process:

- Ensure that there are no Suspensions in place that may prevent the Individual from holding a Sentinel Smart Card
- Complete a pre-sponsorship drugs and alcohol screening, results of which will be required to be entered on the Sentinel Scheme Database
NOTE: The Sponsor will not need to complete a pre-sponsorship screening if the Individuals record shows that a screening has taken place in the last 3 months.
- Review the period for which the Individual has had no Primary Sponsor. Where this is in excess of 6-months the new Primary Sponsor will be required to undertake and document a mentoring assessment to confirm the Individual is competent
- Undertake a review of work experience to determine the extent to which the Individual has utilised each competence. Where it is determined that the Individual has not practiced a competence within the last 6 months the new Primary Sponsor shall undertake and document a mentoring assessment to confirm that the Individual remains competent in the applicable competencies
- Conduct and document a pre-sponsorship interview to determine the Individual is legally eligible to work in the UK and is able to sufficiently communicate in verbal and/or written English (dependent on the safety critical nature or the competencies held).

Following the conclusion of the pre-sponsorship process, the Primary Sponsor will enter into a Contractor of Sponsorship with the Individual as set out in Section 3.2.

The Sub-sponsor must have in place the following agreements and carry out the following pre-use checks before putting an Individual to work:

- Agree that the Individual wishes to undertake work for the Sub-sponsor in addition to the work undertaken on behalf of the Primary Sponsor
- Check who is the Primary Sponsor for the Individual and if the Contract of Sponsorship permits Sub-Sponsors
- Check the Individual's personal information, including Sentinel Smart Card number, NI Number and Date of Birth are correct.

Sentinel Scheme Rules

The Sub-Sponsor can then make a request to the Primary Sponsor, through the Sentinel Scheme Database to Sub-Sponsor the Individual. The Sub-Sponsor cannot put the Individual to work until the Primary Sponsor has accepted the request in the Sentinel Scheme Database.

3.2 Contract of Sponsorship

The Primary Sponsor must have processes in place to complete an induction with each Individual when they join their sponsorship. As part of this induction process the Sponsor shall brief the Individual on (as a minimum) their Contract of Sponsorship and their responsibilities under the Sentinel Scheme Rules.

The Primary Sponsor must have processes in place to engage the Individual in a Contract of Sponsorship. The Contract of Sponsorship as a minimum shall:

- a) Define the contractual relationship between the Primary Sponsor and Individual (i.e. directly employed/self employed, sub-contractor) and whether Sub-Sponsors are permitted
- b) Regardless of the employment status of the Individual, commit the Primary Sponsor to fulfilling the role of employer of the Individual for the purposes of health and safety
- c) Define the responsibilities of the Individual and the Primary Sponsor in relation to compliance with the Sentinel Scheme Rules
- d) Ensure the provision of suitable PPE, in accordance with the Sponsor's defined PPE Policy;
- e) Define the process for and commitment to the provision of regular Briefings, Rule Book updates and Sentinel Scheme Rule updates
- f) Make provision for training, assessment and mentoring at required intervals;
- g) Make provision for Safety Critical Equipment to enable the Individual to undertake their competencies trackside (in accordance with Section 3.8)
- h) Make provision for personal issue information such as handbooks and relevant Standards
- i) Explain how the sponsor will provide advice, guidance or Instruction on any restrictions based on medication and other medical fitness issues
- j) Require the Individual to notify the Primary Sponsor of any changes in circumstance including health issues, that may need the Primary Sponsor to take action to ensure the Individual's continued fitness for work trackside
- k) Make provision for mentoring support to develop the competence of the Individual.

Sub-sponsors are not required to enter into a Contract of Sponsorship with the Individual as they will be permitted by the Primary Sponsor to use the Individual. The Primary Sponsor maintains the sponsorship relationship with the Individual.

Sentinel Scheme Rules

3.3 Management of Sub-Sponsors

Primary Sponsors shall have processes in place for the management of Sub-sponsors. This shall include:

- A mechanism for reviewing and then either approving or rejecting the Sub-sponsor's request
NOTE: Where rejected, a reason for rejection must be provided.
- A documented list of Sub-sponsors and any associated agreements for sharing of labour that are in place between the organisations
- A process for reviewing and for analysing usage by Sub-sponsors
- The means of obtaining information on an Individual from the Sub-sponsor as required in Sections 2.2 and 3

NOTE: It is optional that a Primary Sponsor may have processes in place for recovering costs from a Sub-sponsor for the use of an Individual; any payment framework is not managed through the Sentinel Scheme Rules.

3.4 Competence Management

Sponsors shall have a Competence Management System in place to flag the training and assessment interventions and for undertaking mentoring required for Individuals for whom they are the Primary Sponsor, in advance of their expiry. The Sponsor shall then arrange training, assessment and mentoring to take place in advance of expiry, where the competence is still required.

3.5 Management of Working Hours

Primary Sponsors shall have a Fatigue Risk Management System in place for Individuals they have entered in to a Contract of Sponsorship with.

The Sentinel Scheme Database will provide data on when cards are authenticated for each Individual under their contract of sponsorship, whether on behalf of the Primary Sponsor, or the associated Sub-sponsor.

The Primary Sponsor shall use the data from Sentinel as part of their Fatigue Risk Management System.

Sub-sponsors shall notify the Primary Sponsor of any approved excessive working hours, along with the associated risk assessment to enable the Primary Sponsor to manage any fatigue risk associated with the Individual.

The Primary Sponsors' Fatigue Risk Management System should proactively predict fatigue and therefore prevent excessive working hours, rather than just relying on the Sentinel Smart Card to flag actual exceedence once it occurs on site.

Sentinel Scheme Rules

3.6 Provision of PPE and other Personal Issue Equipment

Primary Sponsors shall have a process in place for the provision of Person Protective Equipment (PPE) and other personal issue equipment to each Individual for which they are the Primary Sponsor, and suitable training to be able to use that protective equipment effectively. PPE must be of a minimum standard to comply with both Network Rail and the Primary Sponsor's PPE Policy.

This process shall include documenting the provision and routine check of PPE to ensure it is maintained and fit for purpose. The process shall also provide details for the provision of additional or replacement equipment when lost or damaged.

Sub-sponsors must provide further PPE as required by any task based risk assessment they conduct.

3.7 Routine Briefings and Cascade of Core Information

Primary Sponsors shall have a process in place for the cascade of briefings to all Individuals for which they are the Primary Sponsor. The process shall cover as a minimum, Rule Book updates, competence specific briefing events and changes to these Sentinel Scheme Rules and any other rules and standards that apply to an Individuals role. The process shall require documented records to be maintained of all such briefings. Where this is a competence specific briefing the event shall be recorded through the Sentinel Scheme Database.

3.8 Procurement, Management, Calibration and Provision of Safety Critical Equipment for use on NRMI

Sponsors must have processes in place for the procurement, management, transport, calibration and provision of equipment for use by Individuals working on their behalf on NRMI.

The process shall have assurance checks in place to ensure that only equipment that is calibrated and fit for purpose is provided for use on the NRMI.

NOTE: This includes but is not limited to: Marker Boards, Possession Limit Boards, Electrification Isolation Test Equipment, Lookout Equipment. This also includes providing equipment to read/verify Sentinel Cards for Individuals who's role requires them to check the competencies of other staff.

This requirement is not solely for the Primary Sponsor. The Sponsor responsible for putting the Individual to work is required to ensure that suitable equipment is provided to site, regardless of their sponsorship status with the Individual. Provision is not the responsibility of the Individual.

The Sponsor responsible for putting the Individual to work must liaise with the person responsible for the works (where different), in advance of the planned works, to ensure the Safety Critical Equipment needs are clearly identified.

Sentinel Scheme Rules

Sponsors must maintain a documented register of all Safety Critical Equipment required by their activities. Sponsors must have a documented equipment register, identifying all equipment currently held by the Sponsor (either owned or on loan), and when it next requires inspection, test or calibration.

The Sponsor shall have a process in place for the management of non-conforming products to ensure these are not provided for use on NRMI.

3.9 Management of Alleged Breaches in the Sentinel Scheme Rules

Sponsors shall have a process in place to identify report and investigate any alleged breaches of the Sentinel Scheme Rules.

Where an Individual is working on behalf of the Primary Sponsor at the time of an alleged breach, the Primary Sponsor must conduct a Local Investigation. (see Section 3.10).

Where the Individual is working on behalf of a Sub-sponsor at the time of an alleged breach, the Sub-sponsor must collate any evidence and witness statements and provide this to the Primary Sponsor who must then conduct a Local Investigation.

The Sub-sponsors shall have a process in place to collate information and report all alleged breaches of the Sentinel Scheme Rules to the Primary Sponsor in a timely manner.

Sponsors shall have processes in place for reviewing alleged breaches of the Sentinel Scheme Rules by Individuals they sponsor. These can be received from various sources including Sub-sponsors, clients, Whistle-blowers, the Sentinel Scheme Administrator or Network Rail.

This review must decide whether a temporary Suspension is required due to the severity of the allegation whilst a Local Investigation is taking place. Where a temporary Suspension is deemed appropriate, the Primary Sponsor should request a temporary Suspension of the Individual's Sentinel Smart Card subject to a Local investigation from the Sentinel Scheme Administrator.

NOTE: A temporary Take Down of specific competencies can be implemented directly by the Primary Sponsor in the Sentinel Database, with a review date of no more than 3 months.

3.10 Investigations into alleged breaches of the Sentinel Scheme Rules

Primary Sponsors shall have an investigation process in place that will enable investigation of any alleged breach of the Sentinel Scheme Rules involving an Individual for which they are the Primary Sponsor.

The Local Investigation process must be suitably independent and also be able to review system and management decisions that may be relevant to an alleged breach. The process will ensure that all alleged breaches of the Sentinel Scheme Rules as outlined in Section 4 of this document will be subject to a Local Investigation.

Sentinel Scheme Rules

The Local Investigation process shall identify the minimum competence of any representative of the Primary Sponsor nominated to undertake Local Investigations. The minimum content of a documented Local Investigation report will be determined within the management system process of the Primary Sponsor.

The Primary Sponsor's Local Investigation process must be compliant with the investigatory process outlined in Section 5 of the Sentinel Scheme Rules.

3.11 Management of Records

Sponsors shall have processes in place to manage and maintain all records required by Section 3 – Management System Requirements of the Sentinel Scheme Rules. Sponsors will maintain all records for those Individuals for which they are the Primary Sponsor. Sub-sponsors need maintain only the necessary records for those Individuals for which they are Sub-sponsor.

3.12 De-sponsoring Individuals

Primary Sponsors must have processes in place for de-sponsoring Individuals for which they are the Primary Sponsor, which includes providing a reason for de-sponsoring and writing to the Individual to cancel the Contract of Sponsorship. The Primary Sponsor must provide documented reasons for de-sponsoring, even if this is at the Individual's request. Records of anyone de-sponsored must be maintained by the Primary Sponsor.

Where an Individual is de-sponsored by a Primary Sponsor, any Sub-sponsors will receive notification that the Individual is currently not available for work on NRMI, as they do not have a valid Primary Sponsor. A Sub-sponsor could then elect to become Primary Sponsor for the Individual by following the pre-sponsorship process (Section 3.1).

NOTE: The Primary Sponsor must act upon Individuals request for de-sponsorship, unless the Individual is under investigation for an alleged breach of the Sentinel Scheme Rules.

3.13 Confidential Reporting Service

Sponsors must be members of an independent and confidential industry reporting service and have a process in place for receiving and responding to reports provided by the service.

Sentinel Scheme Rules

4. Breaches of the Sentinel Scheme Rules

Breaches of the Sentinel Scheme Rules by either an Individual or a Sponsor include (but are not limited to) the following:

- 4.1 Any action of theft, attempted theft, fraud, or falsification of documentation or records;
- 4.2 Any conviction related to theft or attempted theft of railway materials
- 4.3 Any breach of the Drugs and Alcohol policy, including reporting or endeavouring to report to site under the influence of drugs or alcohol or being in possession of illegal drugs on site, either for sale or personal use
- 4.4 Any breach in working hours, including reporting or endeavouring to report for a shift of work, having previously undertaken a shift on NRMI within the last 12 hours (known as double-shifting); unless a risk assessment has been conducted by the Primary Sponsor and suitable controls implemented
- 4.5 Any event of presenting a falsified or altered Sentinel Smart Card, or claiming a false identify for the purposes of trying to gain entry on NRMI
- 4.6 The infringement of any health and safety rules
- 4.7 Any event of negligence which causes, or has the potential to cause loss, damage or injury;
- 4.8 Any event of physical violence while at work
- 4.9 Any event of deliberate damage to NRMI property
- 4.10 Any event of bullying, harassment or discrimination
- 4.11 Any breach of confidence
- 4.12 Any breach of the Lifesaving Rules
- 4.13 Any failure to investigate an alleged breach of the Sentinel Scheme Rules for an Individual they currently sponsor or sponsored at the time of the alleged breach. (This also applies where investigations are undertaken, but are deemed inadequate at Formal Review)
- 4.14 Any allegation of a breach of the Sentinel Scheme Rules which is found to be false and is proven to have been made with malicious intent
- 4.15 Any other event that brings the Sentinel Scheme into disrepute.

Sentinel Scheme Rules

5. Investigating breaches of the Sentinel Scheme Rules

5.1 Reporting an alleged Breach of the Sentinel Scheme Rules

Where an Individual observes any alleged breach of the Sentinel Scheme Rules, they shall report this event either to their Primary Sponsor, Sub-Sponsor or anonymously to Network Rail through the Whistle-blowing process.

Where a Sub-sponsor observes or suspects an alleged breach of the Sentinel Scheme Rules, they shall notify the Primary Sponsor of the alleged breach to enable the Primary Sponsor to follow their process for Local Investigation.

Where Network Rail receives notification of an alleged breach of the Sentinel Scheme Rules by an Individual, Network Rail will, where appropriate, contact the Sponsor in the first instance. This may result in the Primary Sponsor conducting a Local Investigation.

Where Network Rail receives a notification of an allegation that a Sponsor is in breach of the Sentinel Scheme Rules, Network Rail Workforce Safety Team will, where appropriate, instigate a Formal Scheme Investigation into the Sponsor, in accordance with Section 5.5 of this document.

5.2 Local Investigations by Primary Sponsor

Whatever the source of the alleged breach of the Sentinel Scheme Rules, the Primary Sponsor shall undertake a Local Investigation in accordance with their management system processes.

The Local Investigation must be suitably independent to ensure that it also considers potential system and management failures as part of the Local Investigation report.

Following completion of the Local Investigation, the Primary Sponsor shall make recommendations as to any action involving the Individual and any other parties found to be involved. Where these actions involve a Scheme Outcome, the Network Rail Workforce Safety Team must be notified so that a Formal Review can take place.

Recommendations for action shall be made in accordance with the guidelines in the Sentinel Scheme Rules (Section 5.10), and will apply the 'Just Culture' Consequences Model that supports the Lifesaving Rules.

Primary Sponsors cannot de-sponsor an Individual following an allegation of a breach of the Sentinel Scheme Rules without first concluding a Local Investigation. Where the Local Investigation identifies that the outcome should be a Scheme Outcome the Primary Sponsor must make this recommendation to the Network Rail Workforce Safety Team to conduct a Formal Review before de-sponsoring the Individual.

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5.3 Other Investigations

Some alleged breaches of the Sentinel Scheme Rules will be investigated by outside parties, for example theft or fraud may be investigated by the British Transport Police. Any conclusion or findings from such an investigation can be used as part of the Formal Review process.

5.4 Formal Review by Network Rail

5.4.1 Primary Sponsor Local Investigations

Where the outcome of a Local Investigation recommends a Scheme Outcome, the Primary Sponsor shall refer the matter to the Network Rail Workforce Safety Team for Formal Review by sending a copy of the Local Investigation report.

A Local Investigation subject to Formal Review will proceed to one of the following outcomes:

- Apply the recommended Scheme Outcome;
- Apply a different Scheme Outcome to the one recommended;
- Apply no Scheme Outcome and refer back to the Sponsor who may choose to apply a Primary Sponsor Outcome

Where insufficient information is presented at the Formal Review, the Network Rail Workforce Safety Team may request further information from the Sponsor. The Formal Review will be suspended until the information is provided.

During the Formal Review, if it has become necessary to undertake a Formal Scheme Investigation into the Sponsor the Formal Review shall be suspended until the Formal Scheme Investigation is completed or sufficient information is available to conclude the Formal Review.

The Sponsor shall be advised in writing of the outcome of the Formal Review within 30 days of the conclusion of the Formal Review.

The Formal Review panel shall be made up of representatives from both the Network Rail Workforce Safety and the Network Rail Training Assurance Teams.

5.4.2 Other investigations

Network Rail may receive notification of an alleged breach of the Sentinel Scheme Rules, from a number of sources, including:

- Investigations completed by Sponsors;
- Outside parties Investigations;
- Whistle-blowing;
- Accident/Incident Investigations.

Sentinel Scheme Rules

These reports may be subject to a Formal Review and the Network Rail Workforce Safety Team may request any allegations made against Individuals be investigated by their Primary Sponsor in the first instance.

Allegations made against the Sponsor will be subject to a Formal Scheme Investigation where appropriate. The Network Rail's Workforce Safety Team may request, at their discretion, that the Individual or Sponsor attend a hearing as part of the Formal Scheme Investigation process.

5.5 Formal Scheme Investigation by Network Rail

For investigations into the conduct of Sponsors, the Network Rail Workforce Safety Team shall appoint an independent Lead Investigator who will undertake the Formal Scheme Investigation.

Following the conclusion of the investigation and any associated hearing, the Network Rail Workforce Safety Team shall advise the Sponsor in writing of the outcome of the Formal Scheme Investigation and any associated outcomes.

During the Formal Scheme Investigation stage, Individuals and Sponsors may be asked to attend a hearing to provide further information.

5.6 Notification of Scheme Outcomes

Where a Scheme Outcome is applied following a Formal Review it will be implemented in line with the guidelines contained within Section 5.10 of the Sentinel Scheme Rules.

All decisions on outcomes shall be communicated in writing to the Individual either directly or via the Sponsor, along with any right to appeal against these outcomes.

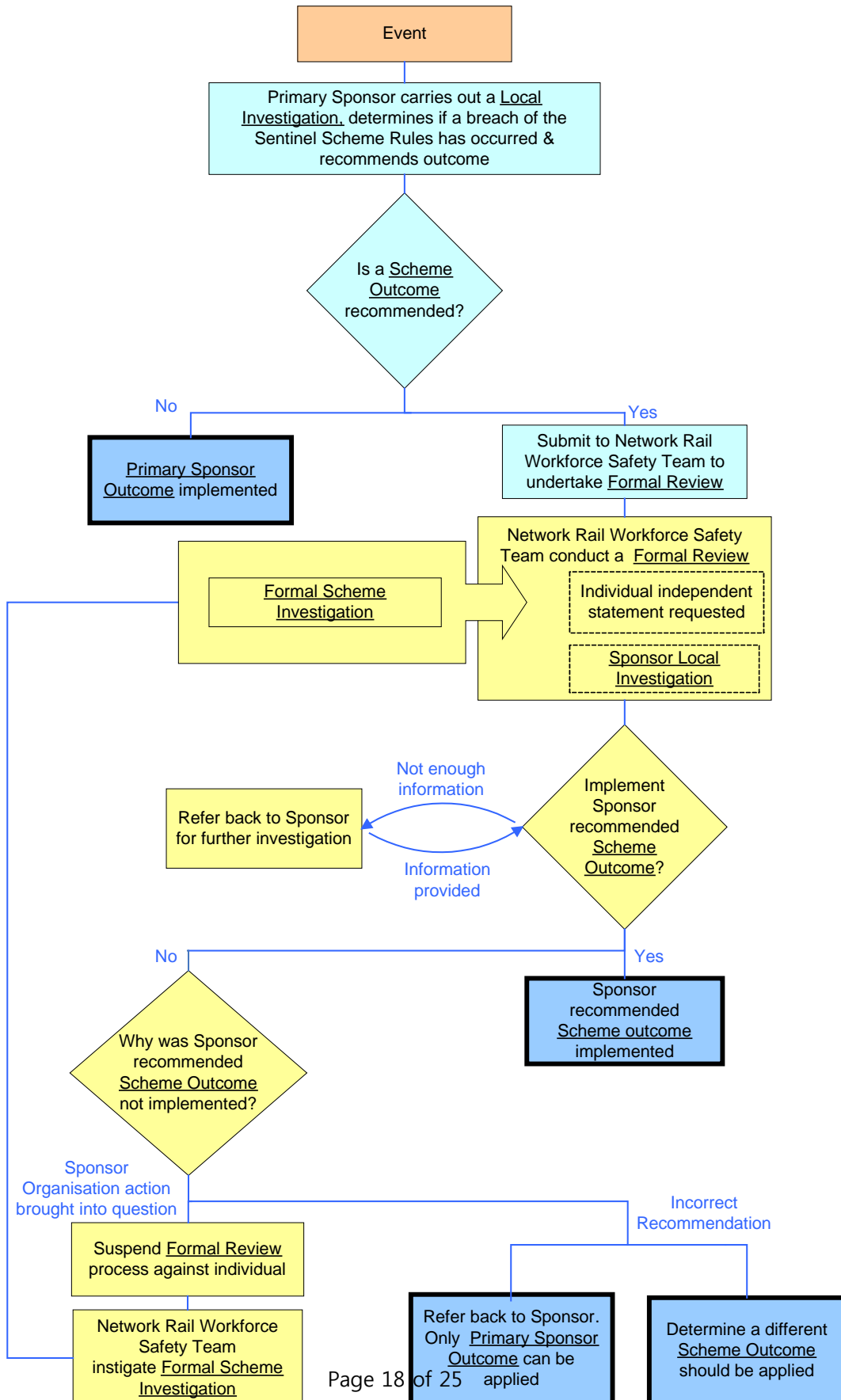
5.7 Formal Review Appeals

Individual appeals will only be held when a Scheme Outcome has been applied and only where new information or mitigating circumstances that were not available at the Formal Review stage, are submitted.

The Formal Review Appeal panel shall be made up of representatives from both the Network Rail Workforce Safety and the Network Rail Training Assurance Teams. These Individuals will be independent of the Formal Review panel.

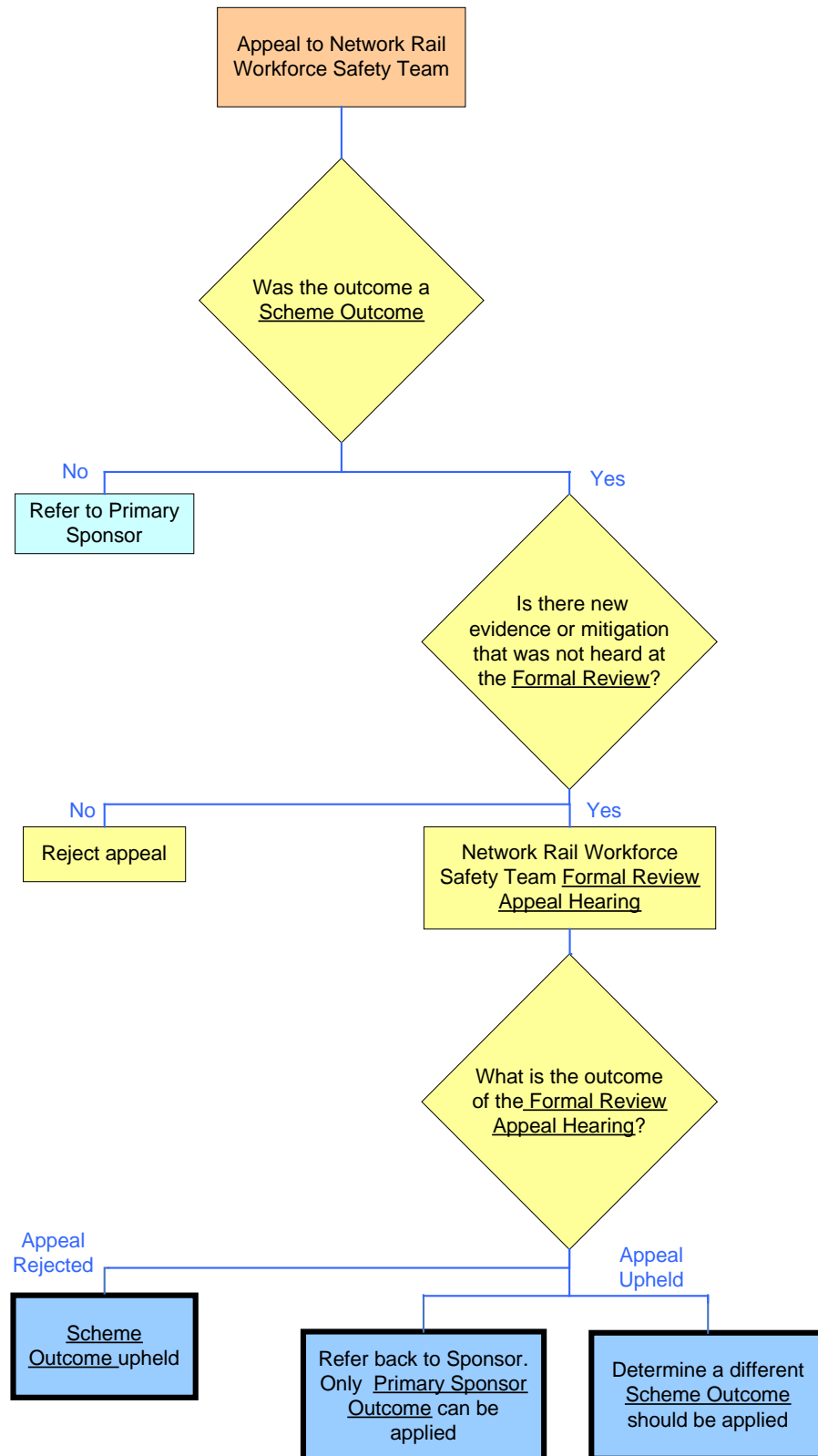
Sentinel Scheme Rules

5.8 Primary Sponsor Local Investigation & Formal Review Process



Sentinel Scheme Rules

5.9 Formal Review Appeal process



Sentinel Scheme Rules

5.10 Outcome Guidelines

Event	Primary Sponsor Outcome		Scheme Outcome			
	Unintentional Error or System Error <i>Coaching, Mentoring, Re-training, Assessment</i>		Deliberate Violation <i>Take Down, Suspension</i>			
Breach of the drugs and alcohol policy			Single Occurrence Proven by screening			
Conviction related to theft or attempted theft or railway materials			Single Occurrence			
Falsification of Sentinel Card/ False ID			Single Occurrence			
Physical Violence			Single Occurrence			
Bullying, harassment or discrimination			Single Occurrence			
Any action of theft, attempted theft, fraud, or falsification of documentation or records			Unknown breach	Following Management Instruction	Multiple occurrence/ Deliberate Breach	
Negligence which causes or has the potential to cause loss, damage or injury						
Deliberate Damage to NRMI						
Breach of confidence						
Malicious allegation of breach						
Breach in working hours or double shifting	Unknown breach of working hours (other than double shifts)		Multiple occurrence/Deliberate Breach			
Infringement of Health & Safety rules	Unknown breach		Multiple occurrence/Deliberate Breach			
Breach of Lifesaving Rules						
Failure to investigate alleged rules breach						
Bringing Sentinel Scheme Rules into disrepute						

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6. Scheme Assurance Arrangements

6.1 Registration of a Sponsor

All Sponsors must act as Primary Sponsor, and must hold primary sponsorship responsibility for a minimum of 30% of their total workforce,

For an organisation to be approved by Network Rail as a Sponsor, they must initially register with the Railway Industry Supplier Qualification Scheme (RISQS) (formally Link-Up). All Sponsors will need to have a management system in place to demonstrate their ability to be a Sponsor, in accordance with section 3 of the Sentinel Scheme Rules.

6.1.1 Sentinel Audit Process

An organisation is registered with RISQS to sponsor trackside competencies, shall be subject to an annual assurance process which will include a management system audit to demonstrate that the organisation has documented processes for the key management system requirements required to be a Sponsor.

The audit shall check the sponsorship management systems and processes are present and sufficient to meet to the minimum requirements of the Sentinel Scheme Rules. The audit shall also review sample records throughout the processes to demonstrate the management system processes are being robustly applied.

6.1.2 Single Sponsor ID for multi companies within same group

Where a number of organisations within one group all use the same sponsored workforce and the same sponsorship management system processes, they need only be required to complete one Sentinel Audit, and will only have one Sentinel sponsorship ID across the group of companies.

Any intention by the company to single Sentinel sponsorship for multiple companies within a group, and the name of all the relevant companies must be identified to the RISQS audit provider in advance. The RISQS audit shall then be undertaken at both the head office responsible for the sponsorship processes and at satellite offices operating the sponsorship processes in practice to confirm that the sponsorship processes are sufficiently embedded to operate consistently and effectively across the group.

6.1.3 Novation of Sponsorship

Where a company is acquired by another company or group the RISQS audit provider and the Sentinel Scheme Administrator must both be notified in advance of the acquisition.

A Material Change Report must be prepared by the acquiring organisation to determine how the sponsorship processes will be merged and the Contracts or Sponsorship transferred or novated. This

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must cover both changes in the Sentinel Scheme Database and how changes will be subsequently applied.

This Material Change Report shall be reviewed and considered by Network Rail which, if satisfied of the proposals, will then enable the transfer of staff in the Sentinel Database. Acceptance of the Material Change Report may be subject to an assurance audit within 3-months of the novation to check that the measures outlined within the report have been adequately implemented.

6.2 Verification of Auditors and Inspectors

All external assurance auditors shall be subject to independent verification to ensure the standard and consistency of Sentinel Audits and any linked processes are maintained. This will include auditing both the audit supplier's system and operational staff.

6.3 Verification Audits of Sentinel Scheme Administrators

Network Rail shall undertake annual audits of the Sentinel Scheme Administrators to check proper application of the Sentinel Scheme Rules.

6.4 Verification Audits of Network Rail

Network Rail Internal Audit function will audit the company application of the Sentinel Scheme Rules biannually so that Network Rail remains compliant. Results of verification audits, along with an annual review of performance will be made available to all Sponsors so that the transparency of the Sentinel Scheme is maintained.

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Definitions

For the purpose of these Rules the following terms and definitions apply:

Breach of Sentinel Scheme Rules: Any act or omission, whether deliberate or accidental that contravenes the Sentinel Scheme Rules.

NOTE: Examples of breaches are identified within Section 4 of this document. This is not an exhaustive list.

Competence Management System: A documented system to manage competence of Individuals under their Sponsor, including assessments, mentoring and recertification events and outcomes.

Contract of Sponsorship: The formal relationship between an Individual and their Primary Sponsor.

NOTE: While similar in intent to a Contract of Employment, the Contract of Sponsorship relates only to the Sentinel Scheme and does not require or imply direct employment.

Fatigue Risk Management System: A documented system for managing both the hours worked by an Individual, and the tasks being undertaken, as well as other conditions that contribute to fatigue such as shift patterns and travel time to determine a persons fatigue risk and to control that risk.

Formal Review: The review undertaken by Network Rail's Workforce Safety Team following notification by a Primary Sponsor that they have conducted a Local Investigation into an alleged Breach of the Sentinel Scheme Rules and recommended a Scheme Outcome.

NOTE: The Network Rail Workforce Safety Team in conjunction with the Network Rail Training Assurance reviews the Local Investigation report and (unless in exceptional cases) an independent statement, requested from the Individual before determining whether the recommended Scheme Outcome should be implemented.

Formal Review Appeal: An Individual appeal against a Scheme Outcome.

NOTE: An Appeal can only be brought where there is new evidence or mitigating circumstances that were not presented at the Formal Review. Where such additional evidence or circumstances are presented, the Network Rail Workforce Safety Team will convene a Formal Review Appeal Hearing.

Formal Review Appeal Hearing: A hearing where a panel from the Network Rail Workforce Safety and Network Rail Training Assurance Teams reviews the Scheme Outcome decision made at the Formal Review.

NOTE: The panel will be independent of those who conducted the Formal Review.

Formal Scheme Investigation: An investigation undertaken by, and at the discretion of, Network Rail's Workforce Safety Team in to an allegation that a Sponsor may have been in breach of the Sentinel Scheme Rules.

Individual: A person who holds a Sentinel Smart Card and to whom the Sentinel Scheme Rules apply.

Just Culture Consequences Model: Network Rail's consequences model that identifies fair outcomes from an investigation.

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Lead Investigator: A person nominated by the investigating organisation having sufficient training and competence in investigation techniques, and who is sufficiently independent from the alleged breach, to conduct a fair and independent investigation.

Lifesaving Rules: Rules identified by Network Rail to address the main causes of death and serious injury.

NOTE: Compliance with the Lifesaving Rules is mandatory for all.

Local Investigation: An investigation into an allegation of a Breach of the Sentinel Scheme Rules undertaken by the Primary Sponsor for the Individual and work involved.

My Sentinel: Individual access to the Sentinel Database.

Material Change Report: A report created by the Sponsor acquiring another Sponsoring organisation to determine how the sponsorship processes will be merged and the Contracts or Sponsorship transferred or novated.

NRMI: Network Rail Managed Infrastructure.

Network Rail Workforce Safety Team: An independent team within Network Rail who act as custodians of the Sentinel Scheme Rules.

Primary sponsor: The organisation that is accountable for maintaining the sponsorship arrangements with the Individual, and for their continued competence and fitness for work, through a Contract of Sponsorship.

NOTE: Only Primary Sponsors are permitted to issue Sentinel Smart Cards or request their withdrawal.

Primary Sponsor Outcome: Action taken by a Primary Sponsor as a result of a breach of the Sentinel Scheme Rules, where a full investigation has been conducted.

Safety Critical Equipment: Equipment required to support an Individual's delivery of a safety critical competence, e.g. lookout equipment, marker boards.

NOTE: This also includes card reading equipment for those who's role requires them to check/verify Sentinel Cards.

Scheme Outcome: A formal action to Take Down an Individual's competence or to impose a Suspension, following recommendation by a Local Investigation, and after a Formal Review.

NOTE: Where a Scheme Outcome is recommended following a Local Investigation, Network Rail Workforce Safety Team will undertake a Formal Review to determine if the Scheme Outcome can be applied.

Sentinel Audit: An audit of a sponsoring organisation

Sentinel Management System: The supporting management system requirements that each Sponsor is required to have in place to demonstrate they are fulfilling their duties as a Sponsor.

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Sentinel Scheme: The Sentinel Scheme consists of the Sentinel Scheme Rules and the associated Sentinel Scheme Database which maintains records including safety critical details of Individuals and organisations involved in working on NRMI.

NOTE: Its purpose is to minimise the risk of untrained, unqualified, unsuitable, unfit or un-sponsored personnel accessing and carrying out safety critical work on NRMI. Its members include Individuals, Sponsors, training providers and medical providers.

Sentinel Scheme Administrator: The third party contracted by Network Rail to deliver the Sentinel Scheme, including, management of the Sentinel Scheme Database, call centre operation and Sentinel Smart Card production.

Sentinel Scheme Database: The database containing Individuals Sentinel Smart Card information

Sentinel Scheme Rules: The rules that govern the Sentinel Scheme that all participants of the Sentinel Scheme must adhere to.

Sentinel Smart Card: An identity card issued and controlled through the Sentinel Scheme.

NOTE: The Sentinel Smart Card can be read electronically to provide safety critical information on an Individual's fitness and competence, including safety critical information. The card will display a photograph of the Individual and a unique Sentinel Scheme reference number for identification purposes. All other information is be verified through access to the online Sentinel Scheme Database.

Sponsor: An organisation, approved by Network Rail that establishes an agreement with an individual for work on NRMI.

NOTE: The Sponsor is the organisation responsible for putting an Individual to work on NRMI and can be a Primary Sponsor or a Sub-Sponsor.

Sub-sponsor: An organisation that, with the permission of the Primary Sponsor, uses an Individual to work on their behalf.

Suspension: Removal of an Individual's permission to access NRMI by suspending the Individual on the Sentinel Scheme Database.

Take-Down: Removing a competence from an Individual for safety reasons or after a breach of the Sentinel Scheme Rules has been committed.

NOTE: A number of higher level competencies can be removed, leaving the Individual able to undertake works on NRMI but within a narrower range of responsibility.

Whistle-Blowing: An anonymous report received through a formal confidential reporting process, such as CIRAS, Speak Out or other method where the reporter's identity is protected.