

# **INTEGRATED MANAGEMENT SYSTEM**

## **OCCURRENCE AND NON-CONFORMANCE MANAGEMENT PROCEDURE**

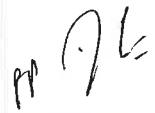
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Occurrence and Non-Conformance Management Procedure  
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## DOCUMENTATION SIGN-OFF SHEET

I, the undersigned hereby approve this procedure.

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## 1. PURPOSE

The purpose of this procedure is to provide guidelines and a framework for identification, reporting, recording and effective investigation of all actual and potential occurrences and non-conformities as defined in this procedure for Transnet SOC Ltd (hereafter referred to as "Transnet"). This is done in order to ensure proper and timeous implementation of corrective and preventive actions.

## 2. APPLICABILITY

This procedure is applicable to Transnet.

## 3. REFERENCE DOCUMENTS

NAME	REFERENCE	APPLICABLE SECTIONS
Asset Management Systems	ISO 55001:2014	Clauses 10.1 and 10.2
Business Continuity Management Procedure	TRN-IMS-GRP-PROC-016	
Conformity Assessment	ISO 17020:2012	Clauses 8.7 and 8.8
Contractor Management Procedure	TRN-IMS-GRP-PROC-014	
Continual Improvement Procedure	TRN-IMS-GRP-PROC-018	
Derailment Investigation Handbook		BBD6462
Energy Management System	ISO 50001:2011	Clause 4.6.4
Environmental Management System	ISO 14001:2015	Clause 10.2
Food Safety Management System	SANS 10049:2012	Clauses 9, 9.1, 9.2, 9.3, 10, 10.1 and 10.2
General requirements for the competence of testing and calibration Laboratories	ISO 17025:2005	Clauses 4.8, 4.9, 4.10, 4.11, 4.11.2, 4.11.3, 4.11.4 and 4.12
Guidance on Social Responsibility	ISO 22301:2012	Clause 10, 10.1 and 10.2
Information Technology – Service Management	ISO 20000-1:2011	Clause 8.1
Integrated Assurance Procedure	TRN-IMS-GRP-PROC-015	
Interface Management Procedure	TRN-IMS-GRP-PROC-012	
Leadership Procedure	TRN-IMS-GRP-PROC-001	
Occupational Health and Safety Management System	BS OHSAS 18001:2007	Clause 4.5.3
Quality Management Systems	ISO 9001:2015	Clause 10.2
Railway Safety Management	SANS 3000-1:2016	Clauses 4.8, 4.9, 4.10, 5 and 6



NAME	REFERENCE	APPLICABLE SECTIONS
RSR Determination of Safety Management Systems and Reports		Clauses 8.3.1, 8.3.2, 8.4.1, 9.4.2 10.2.3 and 10.2.4
Risk Management	ISO 31000:2009	Clauses 5.6
Societal Security – Business Continuity Management System	ISO 22301:2012	Clauses 8.4.2, 8.4.3 and 10.1
Stakeholder Engagement and Management Procedure	TRN-IMS-GRP-PROC-007	
Objectives, Targets and Programmes Management Procedure	TRN-IMS-GRP-PROC-006	
Operational Risk Management Procedure	TRN-IMS-GRP-PROC-004	
Transnet Applicable Policies		

## 4. DEFINITIONS AND ABBREVIATIONS

### 4.1 Definitions

#### Asset

All property of Transnet, including buildings, contents, equipment, machinery, rolling stock, motor vehicle (owned and leased) and third party property in the care, custody and control of Transnet.

#### Assessment

Process of gathering information related to predetermined criteria in order to make a judgement/decision within a specific context.

#### Awareness

Knowledge or perception of a situation or fact.

#### Close Out

System status indicating that an occurrence has been adequately investigated, root and other contributory causes addressed and corrective measures have been implemented to prevent future events.



### **Competent**

Having the qualifications, knowledge, skills, attitudes and capabilities required to function successfully in a given job.

### **Contractor**

An employer (organization) or a person who performs **ANY** work and has entered to a legal binding business agreement contract to supply a product or provide services to Transnet. This applies to the Suppliers, Vendors, Consultants, Service providers or Contractors performing construction work. **NB:** A Contractor is an employer in his/her own right.

### **Correction**

Is the action taken to eliminate the problem now.

### **Corrective Action**

A reactive process used to address root and other contributory causes to occurrences and prevent recurrence of failed management controls. It may also be triggered by a number of events e.g. non-conformances, unacceptable monitoring and measurement results, internal or external complaints, action to be taken to correct the root or contributory causes of a Rail Occurrence etc.

### **Document**

Any note or written material, whether produced by hand or by printing, typewriting or any other similar process, in either tangible or electronic format. Any copy, plan, picture, sketch or photographic or other representation of any place or article.

### **Employee**

Any person who is on an indefinite (permanent) contract of employment or on a fix term contract or any person who works for Transnet and who receives, or who is entitled to receive any remuneration, and other person who in any manner assist in carrying on or conducting the business of Transnet excluding independent contractors.

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**Employer**

Any person who employs or provides work for any person and remunerates that person.

**Evidence**

Objective data supporting the existence or verity of something.

**Fatality**

A death of an employee resulting from a work related injury.

**First Responder/Designated Person**

A person from Transnet and/or responding unit/emergency service to arrive at the scene of an occurrence and who could correctly identify the goods and hazards, and communicate relevant information to other emergency services either directly or through a base station.

**Governance Structure**

Transnet organizational structures and include the Transnet Board; Board Sub-Committees and other committees established to support the aforementioned committees.

**Immediate**

As soon as reasonable practical before the end of an 8-hour shift.

**Incident Commander**

An authorized management representative from operational environment who is appointed and activated to respond to an occurrence based on their seniority level.

**Incident Officer**

An authorised person who is appointed and required to form part of the team activated to an occurrence based on their technical expertise.

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### **Independent Verification**

A process undertaken by a person outside of the specific operational environment in order to provide assurance that adequate measures have been taken to address the corrective and preventative action.

### **Information**

Meaningful data, evidence, material, etc. which has been obtained by word-of-mouth (verbally) or documented (in writing) and includes documents, data and records.

### **Injury on Duty**

Injuries arising out of and in the course and scope of employment.

### **Integrated Management System**

Transnet IMS is a management system that integrates systems and processes as defined in the IMS scope into one complete framework, enabling an organisation to work as a single unit with unified objectives.

### **Interface**

Area, point, or location, either physical or organizational, where the activities or assets of Transnet and other external operators/organisations meet, and where the activities or assets or both interact or have the potential to affect one another. Examples include Service Level Agreement, Private siding agreements, Terminal Operator Licences, Section 56 and 57 (NPA) agreements, Access Agreements and Lease agreements, MoUs.

NOTE: For the purpose of this procedure as outlined in the **Interface Management Procedure, TRN-IMS-GRP-PROC-012**; interface refers to intraface, interface and interoperability.

### **Just Culture**

Where conditions prevailing in Transnet are such that individuals are not blamed for honest errors, but are held accountable for wilful violations and gross negligence.

### **Line Investigation**

Formal investigation conducted by a team which has been properly appointed / constituted based on the scale, magnitude and type of occurrence being managed.

### **Line Management**

A person or group of people overseeing the day-to-day business operations. This refers to Middle Managers, Junior Managers, Supervisors and Team Leaders.

### **National Command Centre**

All the existing command centres across Transnet like Port Control, Security Nerve Centres, Train Control Office, Centralised Train Control, National Operations Control, National Control Centre, etc.

### **Near Miss**

An un-intended, uncontrolled event that, under slightly different circumstances, could have resulted in an injury, pollution or damage to property.

### **Non-Conformance**

Deviation from specification, relevant work standards, practices, procedures, legal requirements, a failure to fulfil a requirement. Non-compliance only relates to a non-conformance with a specific legal requirement.

### **Non-Conformance Management**

The entire process of notification/identification, reporting, investigation, corrective and preventative action plans and close-out as defined in this procedure.

### **Notification**

A process of informing a person of an occurrence or non-conformity as defined in this procedure.

## **Occurrence**

An undesired, unplanned or unexpected work related safety, health, environment, security, railway, property, asset damage, non-conformance and near misses, that involve Transnet employees, learners, visitors, contractors and members of the public on Transnet premises and anywhere else where employees are engaged in the organizational activities and services. It is managed by an employer / operator in accordance with his/her integrated management system.

## **Occurrence Management**

The entire process of notification, reporting, investigation, corrective and preventative action plans and close-out as defined in this procedure.

## **On-site Investigation**

Formal investigation facilitated by the incident commander with the assistance of incident officers immediately after the occurrence has been reported, aimed at collating all the evidence, establishing basic, root causes and other contributing factors before the scene is disturbed considering that the line investigation might take long to sit after the occurrence.

## **Perishable Evidence**

Fresh, delicate, consumable evidence e.g.

## **Person**

Any person who is involved or has seen an occurrence or non-conformity taking place. This can be a Transnet employee, contractor and/or a third party.

## **Preliminary Report**

An initial report which is produced based on the basic factual information following the occurrence within 24 hours pending verification and testing of all the information.

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**Presiding Officer**

An independent person formally appointed to chair and facilitate proceedings during an investigation.

**Preventative Action**

A proactive process used to identify non-conformities before they actually occur and put measure in place to ensure they do not occur.

**Process Flow**

A systematically and documented steps from the start to an end of the activity.

**Recording**

Capturing of the occurrence using a recognised method/system for tracking and reference purposes.

**Reference Number**

Identification number of an occurrence issued either internally or externally, e.g. OB, CAS, AR, Nerve Centre Reference No, etc.

**Regulatory Authorities**

Regulators

**Reporting**

Formal reporting of an occurrence (in writing using prescribed forms), stating basic factual information gathered at the time of the occurrence.

**Root Cause**

The fundamental issue(s) or cause of an occurrence which can reasonably be identified from the occurrence that has occurred utilising a recognised root cause analysis technique, which management can control or rectify.



### Safe Custody

Under lock and key where access is controlled to ensure unauthorised persons do not have access.

### System

A set of interrelated components working together to achieve a common outcome / objective.

### Witness

A person who has physically seen an occurrence or non-conformity taking place.

## 4.2 Abbreviations

<b>AR</b>	Accident Report
<b>CAP</b>	Corrective and Preventative Action Plan
<b>CAS</b>	Case
<b>CCRO</b>	Chief Corporate and Regulatory Officer
<b>DEA</b>	Department of Environmental Affairs
<b>DoL</b>	Department of Labour
<b>DWS</b>	Department of Water and Sanitation
<b>ECC</b>	Emergency Command Centre
<b>GCE</b>	Group Chief Executive
<b>GCOO</b>	Group Chief Operating Officer
<b>GLT</b>	Group Leadership Team
<b>HAZMAT</b>	Hazardous Materials
<b>IC</b>	Incident Commander

<b>ICC</b>	Incident Command Control
<b>IMS</b>	Integrated Management System
<b>ISO</b>	International Standardisation Organisation
<b>IO</b>	Incident Officer
<b>NCC</b>	National Command Centre
<b>NEMA</b>	National Environmental Management Act
<b>NWA</b>	National Water Act
<b>OB</b>	Occurrence Book
<b>OD</b>	Operating Division
<b>OHSAS</b>	Occupational Health and Safety Assessment Series
<b>OLT</b>	Operational Leadership Team
<b>PPPSG</b>	Policy, Procedure, Process, Standard and Guideline
<b>RSR</b>	Railway Safety Regulator
<b>R-CAT</b>	Root Cause Analysis Technique
<b>SAMSA</b>	South African Maritime Safety Authority
<b>SANS</b>	South African National Standard
<b>SHE</b>	Safety, Health and Environment
<b>SMART</b>	Simple, Measurable, Achievable, Realistic, Time-bound



## 5. ACCOUNTABILITY, RESPONSIBILITY AND AUTHORITY

<b>Top Management</b>	<ul style="list-style-type: none"> <li>• Overall accountability of this procedure.</li> <li>• Provide guidance to the overall occurrence and non-conformance management.</li> <li>• Demonstrate commitment to the development and implementation of occurrence and non-conformance management procedure.</li> <li>• Ensure availability of financial, human and organisational resources.</li> <li>• Communicate to all employees regarding occurrence trends.</li> <li>• Monitor &amp; Review IMS Performance.</li> </ul>
<b>Group Chief Operations Officer (GCOO)</b>	<ul style="list-style-type: none"> <li>• Ensure implementation of this procedure.</li> <li>• Ensure availability of financial, human and organisational resources.</li> </ul>
<b>Chief Corporate and Regulatory Officer (CCRO)</b>	<ul style="list-style-type: none"> <li>• Ensure compliance to this procedure.</li> </ul>
<b>Senior Management</b>	<ul style="list-style-type: none"> <li>• Communicate requirements of the procedures and ensure adherence.</li> <li>• Ensure adequacy and integrity of data and information.</li> <li>• Analysis of the occurrence trends, initiate and communicate action plans.</li> <li>• Ensure corrective and preventative actions are implemented to address the root cause(s).</li> <li>• Provide required training and awareness, and maintain records for all personnel.</li> <li>• Ensure effective communication on how measurements and targets will be met.</li> <li>• Monitor &amp; Review IMS Performance.</li> </ul>
<b>Line Management</b>	<ul style="list-style-type: none"> <li>• Communicate requirements of the procedures and ensure adherence.</li> <li>• Ensure adequacy and integrity of data and information.</li> <li>• Analysis of the occurrence trends, initiate and communicate action plans.</li> <li>• Implement this procedure.</li> <li>• Notify, report and record occurrences.</li> <li>• Conduct occurrence investigations.</li> </ul>



	<ul style="list-style-type: none"> <li>• Ensure relevant competencies are in place to effect this procedure.</li> <li>• Implement recommendations, corrective and preventative actions.</li> </ul>
<b>Employees</b>	<ul style="list-style-type: none"> <li>• Adhere to this procedure and cooperate with management.</li> <li>• Carry out instructions issued in the interest of this procedure.</li> <li>• Attend training and awareness.</li> <li>• Report all occurrences in line with the requirements of this procedure.</li> <li>• Participate in the successful implementation of corrective action plans.</li> </ul>
<b>SHERQ/Security/Compliance Management (SHERQSC)</b>	<ul style="list-style-type: none"> <li>• Report mandatory occurrences to applicable regulatory authorities.</li> <li>• Report level 1 and level 2 occurrences to the CCRO.</li> <li>• Assist in occurrence investigation.</li> <li>• Following up on mitigations, and monitor non-conformances, occurrences to ensure prevention of reoccurrence.</li> <li>• Verify close-out of corrective and preventative actions.</li> <li>• Validate adequacy and sustainability of control measures implemented.</li> </ul>

## 6. PROCEDURE

### 6.1 OCCURRENCE MANAGEMENT

The following occurrence management process shall be followed when dealing with Transnet occurrence(s) as outlined in **Annexure 8.1, Transnet Occurrence Management Process Flow**.

#### 6.1.1 Occurrence Notification

Immediate notification of an occurrence shall be done by any person who witnesses or receives information about an occurrence, either verbally or in writing to the supervisor or National Command Centre (NCC) (where applicable). The attached Transnet occurrence notification and reporting process flow shall be followed as per **Annexure 8.2 Transnet Occurrence Notification and Reporting Process Flow**.





In the event that an employee is injured whilst on duty, he/she must notify the supervisor on duty or SHE Representative of the injury immediately or before the end of shift.

The Supervisor must then immediately notify the next level of Line Management (in their hierarchical order) and SHERQSC Management Department.

Immediate notification of **Level 1 and 2** occurrences to the Senior and/or Executive Management level, OD Corporate SHERQSC Management Office, Divisional Chief Executive, Group COO, Group CCRO Office and Group Chief Executive shall be done telephonically and/or by short message service (SMS, WhatsApp, etc.) as per **Annexure 8.3, SMS Notification Guideline for All Occurrences**.

The Transnet employee/s that receives notification of an occurrence must ensure the following immediate measures are taken and information collated:

- Name of the person/s involved;
- Location of the occurrence;
- Date and time of the occurrence;
- Details of the witness(es) to the occurrence;
- Brief description of the occurrence and the scene;
- Consequence of the occurrence (e.g. injury(ies), fatality(ies), property/asset damage(s), theft, defect, quality impact, environmental impact etc.);
- Indicate if medical attention is needed;
- If it is an environmental occurrence (is it managed to prevent continuous damage to the environment);
- If it is a HAZMAT occurrence (is it contained and recovered or uncontained);
- Weather condition;
- Make safe and preserve the occurrence site;
- In the event of a security occurrence report it to SAPS and/or Security Nerve Centre, obtain a case number and/or reference number;
- Immediate actions taken to minimize the impact.



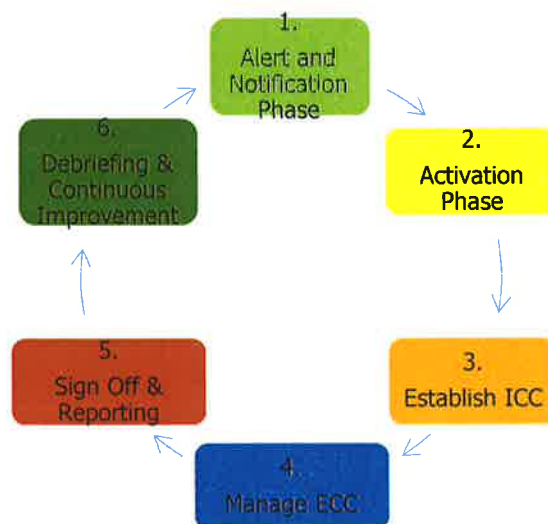
### 6.1.2 Activation of Emergency Response

First responder/designated person should assess the extent and scale of the occurrence and then classify the occurrence according to Level 1, 2, 3 or 4.

First responder/designated person should activate required stakeholders in line with the local emergency response plan. Local emergency response plans can be formulated utilising the attached Transnet emergency response guideline, **Annexure 8.4, Transnet Emergency Response Guideline** and **Annexure 8.5 Transnet Emergency Response Process Flow**.

Depending on the level and severity, Incident Command and Control (ICC) or Emergency Control Centre (ECC) might require to be established (if necessary).

The following illustration should be used as a guideline during the activation process, **Figure 1** (depending on the level and severity of the occurrence):



**Figure 1:** Illustration of Activation phases

Alert the Business Continuity Coordinator throughout the management of the occurrence to ensure in the event the occurrence escalates, the local contingency plan should be activated in line with the guidelines defined under **Business Continuity Management Procedure – TRN-IMS-GRP-PROC-016**.





### 6.1.3 Management of the Occurrence Scene

Occurrence scene must be secured, preserved and evidence not tampered with.

The evidence can only be tampered with, when there is a need for medical services and if the scene poses immediate threat to life and/or property.

Care must be exercised when the injured employee is handled in order not to cause further injuries.

The first responder/designated person, who will assume or act as an incident commander determines the severity of the occurrence and activate the appropriate incident commander level.

The first responder/designated person must immediately make record of the disturbance such as original position, reason for moving the person/piece of evidence and make the incident commander who takes over from him/her and investigating officer aware of those activities.

Hand over the scene to the incident commander with all necessary information.

As far as practical, the occurrence scene must be preserved so that it may assist in the investigation process to determine the root cause of the occurrence as well as in filing an insurance claim amongst other requirements.

The recording of evidence can include pictures, sketches, videos, 3D scanner images etc.

The scene may be preserved by one of the following means:

- Cordon off;
- Physical guarding;
- Set up of a security perimeter and access control access into the scene;
- Appoint a person to accompany all visitors to the equipment;
- Lock strategic areas or erecting physical barriers;
- Evacuate the area if possible.

#### **6.1.4 Guideline for Handling Employee Death in the Workplace**

A guideline has been developed for handling employee death in the workplace as per **Annexure 8.6 Guideline for Handling Employee Death in the Workplace**. This document is aimed at bringing consistencies amongst Transnet and should be utilised as a minimum.

#### **6.1.5 Classification of Transnet Occurrences**

Transnet occurrences shall be classified as indicated in Table 1 below according to level 1, level 2, level 3 and level 4.

The classification of an occurrence can however be escalated to the next level of severity where there is a repeat of similar occurrences on regular basis.

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LEVEL	TYPE	DESCRIPTION
LEVEL 1	<b>Technical</b>	<p>1.1. Plant /Asset damage exceeds R20 million in the case of Transnet Freight Rail and R10 million in respect of all other Divisions;</p> <p>1.2. Occurrence that have resulted in significant business interruption, as per Transnet risk rating;</p> <p>1.3. An occurrence impacting significantly on more than one Division; and</p> <p>1.4. Impact on customers, stakeholders or outside parties where costs to Transnet might exceed R20 million in the case of Transnet Freight Rail and R10 million in respect of all other Divisions.</p>
	<b>Operational</b>	<p>2.1 The death of an employee and/or contractor on Transnet premises as a result of Transnet's operations;</p> <p>2.2 Exposure to any hazardous chemical substance above the occupational exposure limit Control Limit (OEL – CL) listed in table 1 of the Regulations for Hazardous Chemical Substances with or without the required use of respiratory protection unless BA sets were used as part of rescue situations. Transnet becoming liable to prosecution or other legal action; and</p> <p>2.3 Major political or media focus on the image of Transnet.</p>
	<b>Environmental</b>	<p>3.1 Environmental occurrences as defined by NEMA section 30(1)(a) and the National Water Act (36 of 1998) Section 20 (1), that resulted in:</p> <p>3.1.1 A significant impact on the physical or biological environment (air, ground, water and habitat) with extensive or long term impairment of ecosystem function or surface and ground water resources. An inconvenience/disturbance/disruption/annoyance (including odour, dust, noise, traffic problem, loss of water supply) of a long duration or with a long term on interested and affected parties. A release of material (gas, liquid, solid) or energy that will cause chronic illness, permanent lost time injury, fatality or extensive property damage is experienced by interested and affected parties;</p> <p>3.1.2 Irreparable damage to highly valued structures and sacred locations;</p> <p>3.1.3 Public or national / international media outcry;</p> <p>3.1.4 Instances where water samples taken by or for the regulator to check legal compliance, were found to be outside the permitted limits and have resulted in prosecution; and</p> <p>3.1.5 Significant quantities of dangerous substance spilled (in Transnet Pipe Lines (TPL) &gt;250 000 litres of petroleum products spilled in an uncontained manner).</p>



LEVEL	TYPE	DESCRIPTION
LEVEL 2	Technical	1.1 Plant/asset damage more than R10 million in the case of Transnet Freight Rail and R5 million in respect of all other Divisions;
		1.2 Capacity loss considered significant by the Divisional Chief Executive;
		1.3 Events that have resulted in serious business interruption and other impact to customers; and
		1.4 Level crossing occurrences (fatalities and multiple injuries to 3rd parties)
	Operational	2.1 Death of an independent contractor employee as a result of Transnet operations
		2.2 Work related physical harm to a person or persons that results in admission in hospital in an Intensive Care Unit;
LEVEL 3	Environmental	3.1 A moderate impact on the physical or biological environment (air, ground, water or habitat) with limited impairment of ecosystem function and/or surface and ground water resources;
		3.2 An inconvenience disturbance / disruption/annoyance (including odour, dust, noise, traffic problems, loss of water supply) of moderate or with medium effect on interested and affected parties;
		3.3 A release of material (gas, liquid, solid) or energy that causes severe but reversible illness, non-lost time injury or moderate property damage experienced by interested and affected parties;
		3.4 Damage to rare structures of cultural significance or significant infringement of cultural values / sacred locations;
		3.5 Attention from local media or widespread complaints;
		3.6 Significant quantities of dangerous substance spilled (in TPL between 200 000 and 250 000 litres of petroleum products spilled in an uncontained manner).
	Technical	1.1 Plant/asset damage more than R5million and less than R10million in the case of Transnet Freight Rail and more than R2.5million and less than R5million in respect of all other Divisions;
		1.2 Events that have resulted in business interruption considered significant by the executive of the Business Unit/Port/Terminal/department concerned, and;
		1.3 Other significant impact to customers;
		2.1 Work related physical harm to a person or persons that result in hospitalisation (not ICU), in a lost time injury / Disabling injury;
LEVEL 3	Operational	2.2 Exposure to noise levels above 120 dB(A);
		2.3 Machinery or any part thereof fractured or failed resulting in flying, falling or uncontrolled moving objects.
LEVEL 3	Operational	2.4 Any serious operating irregularity, including movements exceeding the limit of authority, collisions and derailments with resultant of injuries, and;



LEVEL	TYPE	DESCRIPTION
LEVEL 4		2.5 Release of material that has potential to cause illness.
		2.6 Level crossing incidents (injuries to 3rd parties)
		2.7 SPADS, SEROPS, Averted collision
		3.1 An inconvenience/annoyance/disturbance/ disruption (including odour, dust, traffic or loss of water supply) of a limited effect on the Interested & Affected Parties.
	Environmental	3.2 Minor impact on the physical and/or biological environment with short term impairment of the ecosystem function.
		3.3 Minor spills or release of material (solid, liquid or vapour), including dust, that could lead to short term elevated levels of dust in the atmosphere.
		3.4 Instances where water samples taken by or for the regulator to check legal compliance, have been outside the permitted limits and an official caution/prohibition or improvement notice was issued; and
		1.1 Plant/asset damage less than R1million for Transnet Freight Rail and less than R500 000 in respect of all other Divisions;
	Technical	2.1 Work related physical harm to a person or persons that does not result in hospitalisation, results in a minor occurrence / injury / medical treatment / first aid case;
	Operational	2.2 Incident with no injury
		2.3 Any safety occurrence arising from shunting operations (in marshalling yards or centres) such as shunting derailments, hard couplings, points run through and limited damage to assets and freight and the environment including delays and service disruptions;
		2.4 Derailments and collisions and level crossing accidents associated with no loss of life;
		2.5 Shunting derailments /collisions
		2.6 Near miss.
	Environmental	3.1 Environmental incident that could result in service disruption with a lesser significance;
		3.2 Spills or releases that were not intended/due to normal operations but is confined and controlled.

Table 1: Transnet Occurrences Classification

### 6.1.6 Occurrence Reporting and Recording

Transnet requires that all occurrences within its controlled environment must be reported and recorded where such occurrences had or could have an adverse effect on the health and safety of employees, contractors, public, quality, the environment, legal interests, operations, security, assets and rail infrastructure. This is also a legislative requirement depending on the type of occurrence being managed.

Employees shall report all occurrences as per the defined Transnet occurrence notification and reporting process flow utilising the approved Transnet notification and reporting form for all internal reporting regardless of the criteria, severity, impact or financial value as per **Annexure 8.7 Transnet Occurrence Notification and Reporting Form (Preliminary Report)**. This form will serve as a Preliminary Report.

The following types of occurrences which can be expected within Transnet operations are reported as per defined process flows both internally and externally to authorities and regulators (where required):

Type of Occurrence	Reporting Process Flow Reference
Railway Occurrence	<b>Annexure 8.8, Railway Occurrence Management Process Flow;</b>
Injury on Duty	<b>Annexure 8.9 Injury on Duty Management Process Flow;</b>
Occupational Diseases and Illnesses	<b>Annexure 8.10 Occupational Diseases &amp; Illnesses Occurrence Management Process Flow;</b>
Environmental Occurrence	<b>Annexure 8.11 Environmental Occurrence Management Process Flow;</b>
Maritime Occurrence	<b>Annexure 8.12 Maritime Occurrence Management Process Flow;</b>
Asset and Property Damage (including Motor Vehicle) Occurrence	<b>Annexure 8.13 Asset and Property Damage (including Motor Vehicle) Occurrence Management Process Flow;</b>
Security Occurrence	<b>Annexure 8.14 Security Occurrence Management Process Flow;</b>
HAZMAT, Fire, Explosion and Other Safety Occurrences	<b>Annexure 8.15 HAZMAT Fire, Explosion and Other Safety Occurrences Management Process Flow;</b>



The reporting of any occurrence to relevant internal stakeholders ultimately lies with Line Management. The Line Manager shall also report the occurrence based on the applicability to:

- Respective Senior Management Representative/s;
- Relevant SHERQSC Management Office;
- Relevant Insurance office;
- Respective Support Services;
- Respective System Administrator/s and/or IOD Claims Office;
- Respective Fleet Management Representative/s;
- Respective Facilities Management.

Reporting to external and Regulatory authorities shall be done through the SHERQSC Management department using relevant regulatory forms depending on the type of occurrence e.g.:

- Section 37 of National Railway Safety Act (Act 16 of 2002), as amended, (Railway Occurrences);
- Clauses 5.2, 5.6, 6.2 of SANS 3000-1:2016, as amended, (Railway Occurrences);
- Section 24 of Occupational Health and Safety (OHS) Act (Act 85 of 1993), as amended, (Occupational Injuries);
- Section 25 of OHS Act (Act 85 of 1993), as amended, (Occupational Diseases);
- Section 39 of Compensation for Occupational Injuries and Diseases Act (Act 130 of 1993), as amended (Occupational Injuries and Diseases);
- Regulation 8 of General Administrative Regulations 2003, as amended, (Occupational Injuries and Diseases);
- Section 30 of National Environmental Management (NEMA) Act (Act 107 of 1998), as amended, (Environmental Occurrences);
- Section 24(g) of NEMA Act (Act 107 of 1998), as amended (Rectification of Unlawful Activity);

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- Part 8 of Waste Act, Section 36(5) (Contamination of Land);
- Section 20 of National Water Act (Act 36 of 1998), as amended, (Water Pollution);
- Section 62(5) of National Ports Act (Act 12 of 2005), as amended, (Maritime Occurrences to the Authority and SAMSA);
- Section 259 of Merchant Shipping Act (Act 57 of 1951), as amended (Maritime Occurrences to SAMSA)
- Article 1 of Marine Pollution Act, (Act 2 of 1986), as amended, Section S259 (Marine Occurrences which might pollute water resources);
- Section 2(5) of Dumping at Sea Control Act (Act 73 of 1980), as amended, (Occurrences related to dumping at sea)
- Safety of Life At Sea Policy / Directive (reporting of sea related occurrences) to the authority and SAMSA;
- Regulation 21(2)(s)(xiii) of Firearms Control Regulations, 2004 as promulgated under the Firearms Control Act (Act 60 of 2000), as amended (Accidental Discharging of Firearms);
- Criminal Matters Amendment Act (Act 18 of 2015), as amended (security related occurrences reportable to SAPS);
- Section 24(10)(b)(4) of Disaster Management Act (Act 57 of 2002), as amended, (Quarterly reporting of Disaster Occurrences), where applicable;
- Section 24(15.(1) of Explosive Act (Act of 15 of 2003), as amended, (Occurrences related to explosives);
- Section (37.1) of Nuclear Act (Act 47 of 1999), as amended, (Occurrences related to nuclear energy);
- Local By-laws and Provincial Ordinances.

All occurrences shall be reported internally and in writing within 24 hours in a form of a preliminary report as per **Transnet Occurrence Notification and Reporting Form - Preliminary Report**.







The reporting period to external and Regulatory authorities shall be done according to the respective prescribed legislative requirements.

All Occurrences should be recorded on the Transnet management system using Transnet Notification and Reporting form and other applicable forms for management of actions, statistics and occurrence report and registers.

Recording of occupational injuries and diseases shall be done utilising Annexure 1, as required by Regulation 9 of the General Administrative Regulations as promulgated under the OHS Act (Act 85 of 1993), as amended.

Level 1 and 2 occurrences shall be reported to the responsible Senior and/or Executive Management level, OD Corporate SHERQSC Management Office, Divisional Chief Executive and, Group COO, CCRO Office and Group Chief Executive utilising a Transnet Notification and Reporting Form for level 1 and 2 within 12 hours followed by a Preliminary Report within 24 hours as per **Annexure 8.16 Transnet Occurrence Notification and Reporting Form for Level 1 and 2.**

The preliminary occurrence report must cover the following:

- Date and time of the occurrence;
- Place/location of occurrence;
- Name and Identity number of the injured/ person involved, SAP Number;
- Third party details;
- Operating Division/ Business / Specialist Unit/ Department;
- Grade of the involved employee;
- Type of occurrence;
- Short description of the occurrence;
- Suspected cause of occurrence;
- Immediate action taken;
- Impact of occurrence (Level 1-4);
- Positional photographs and photographs showing injury/damage.

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Occurrence communication and alerts should be produced for all Level 1 occurrences by the responsible division and circulated to the entire organisation through Group Risk and Compliance and Group Communications Departments.

#### **6.1.7 On-Site Investigation**

The on-site investigation should be conducted as a minimum for the following types of occurrences in order to ensure preliminary information is adequately collated prior to the Line investigation:

- All level 1 and 2 occurrences irrespective of the occurrence type; and
- Railway occurrences which fall within level 3 – 4 as deemed necessary.

Preliminary information for all other type of occurrences where on-site investigation has not been conducted can be gathered through preliminary report as well as technical forms as defined in this procedure.

The following steps should be taken during on-site investigation by the team involved in managing these type of occurrences:

- Conduct Incident Commander (IC) and Incident Officer (IO) Duties;
- Identify, preserve and document on-site evidence;
- Identify, preserve and document on-site evidence;
- Collect Data and information;
- Conduct On-site investigation;
- Collaborate with Authorities (RSR, Police, DoL, SAMSA, DEA, DWS etc.);
- Complete and present IC report;
- Information handover by the Incident Commander to Investigation team.

##### **6.1.7.1 Appointment of On-site Investigation Team**

The appropriate incident commander level as activated in line with the activation plan should meet the following requirements:

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- Appointed as an incident commander using **Annexure 8.17 Incident Commander Appointment Letter**;
- Be in possession of valid training and competency certificate.

Incident officer depending on the required technical expertise should meet the following requirements:

- Appointed as an incident officer using **Annexure 8.18 Incident Officer Appointment Letter**;
- Be in possession of valid training and competency certificate.

#### **6.1.7.2 Incident Commander (IC) and Incident Officer (IO) Duties**

Incident Commander must ensure:

- That the scene is safe, that the injured (if any) are taken care of and if deemed necessary establish the Emergency Control Centre (ECC).
- Post occurrence substance abuse testing is conducted where reasonably possible.
- Counselling is offered to the affected employees in line with Transnet EAP policy.
- Psychological de-briefing is conducted to employees in cases where the fire arm has been discharged (either accidentally or intentionally), as required by Regulation 21(2)(s)(xii) of Firearms control Regulations, 2004.
- Briefs Incident Officer on the modus operandi for the onsite alignment.
- Nominates a scribe to record the site proceedings.
- Executes all duties in accordance with their appointment letter.

#### **6.1.7.3 Identification, Preservation and Documentation of Evidence**

The IC shall ensure that all evidence (including perishable evidence) is identified during the walking of the site and preserved for use during further investigation.

In order to achieve this, the IC utilizes the expertise of the IO team.



The IO team examines the site, identifies, tags, makes sketches, draws layout of the scene, takes photos, preserves and documents evidence (including perishable evidence) in order to reconstruct the scene during the investigation.

The IO team hands all evidence over to the IC for safekeeping.

#### **6.1.7.4 Collecting of Data and Information**

All data and information collected must be kept in safe custody for use during the occurrence investigation and for handing over to the investigation team.

#### **6.1.7.5 Conduct On-site Investigation**

The IC should facilitate the on-site investigation with relevant IOs utilising an on-site investigation form which shall form part of the IC report as per **Annexure 8.19 On-site Investigation Form (Incident Commander Report)**.

The onsite team should systematically evaluate, assesses and analyse all obtained evidence, data and information with the view to establish the immediate cause/s of the occurrence prior to the site being cleared. The agreed upon immediate cause/s must be documented as such.

In cases where the onsite team is unable to establish the immediate cause/s, the site should be left undisturbed whilst waiting for the technical experts. The latter should be activated to the site and/or consulted to provide assistance.

#### **6.1.7.6 Collaboration with Authorities**

Management of external authorities namely, RSR, Police, DoL, SAMSA, DEA, DWS, emergency services, etc.), shall be in accordance to the requirements of the local emergency or contingency plan depending on the activation plan.

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#### 6.1.7.7 Completion and Presentation of IC Report

The IC should coordinate the activities of the relevant representatives during the on-site investigation.

The IC together with the IO's shall compile an on-site investigation report detailing all relevant information pertaining to the occurrence.

The IC shall present the signed off report to the accountable line manager and to the other relevant authorities when reasonably requested to do so.

The IC/IO's should cooperate with other investigations authorities such as RSR, DoL, DEA, Loss Adjusters, etc (where applicable).

The IC report should be made available 72 hours following the occurrence.

The report and other related documents will be captured and saved on the Transnet System.

#### 6.1.7.8 IC Handover to Line Investigation Team

The IC should hand over all secured data, evidence, information and his/her report to the line investigation team.

#### 6.1.8 Completion of Technical Forms

The following technical forms shall be completed as soon as additional information is available based on the type of occurrence and specific information required for that type of occurrence:

Type of Occurrences	Type of Technical Forms
Railway Occurrence	<b>Annexure 8.20, Railway Occurrence Technical Form;</b>
Injury on Duty	<b>Annexure 8.21, Injury on Duty Occurrence Technical Form;</b>
Occupational Diseases & Illnesses	<b>Annexure 8.22, Occupational Diseases &amp; Illnesses Occurrence Technical Form;</b>
Environmental	<b>Annexure 8.23, Environmental Occurrence Technical Form;</b>





Maritime Occurrence	<b>Annexure 8.24, Maritime Occurrence Technical Form;</b>
Asset and Property Damage Occurrence	<b>Annexure 8.25, Asset and Property Damage Occurrence Technical Form;</b>
Motor Vehicle Occurrence	<b>Annexure 8.26, Motor Vehicle Occurrence Technical Form;</b>
Security Occurrence	<b>Annexure 8.27, Security Occurrence Technical Form;</b>
HAZMAT, Fire, Explosion and Other Safety Occurrences	<b>Annexure 8.28, HAZMAT, Fire, Explosion and Other Safety Occurrences Technical Form;</b>

### 6.1.9 Line Investigation

Line investigation should be conducted for all types of occurrences and levels as classified in this procedure. This investigation serves a formal investigation which should allow for independence in order to remove bias.

The objectives of this investigation are as to:

- Establish the facts / immediate / root / underlying / contributory causes surrounding the occurrence.
- Develop robust corrective and preventative control measures.
- Comply with compliance obligations.
- Establish lessons learnt for continuous improvement.
- Compile a report covering the elements of the Terms of Reference.

The following principles should be followed when constituting a line investigation team:

- Appointment of the Presiding Officer (Chairperson) and properly constituted investigation team;
- Terms of Reference for the investigation;
- Conducting Line Investigation

#### 6.1.9.1 Appointment of Presiding Officer and Investigation Team

The nature of an occurrence will inform the type of expertise that will be assigned to conduct the investigation with relevant training and competencies.



The severity level of the occurrence will dictate the competency level of the presiding officer. All levels of management shall attend relevant training to declare them competent to enable them to be appointed Incident Commanders and also Presiding Officers (Chairpersons) of occurrences based on their seniority as per **Annexure 8.29 Transnet Occurrence Severity Matrix (Guideline) for Line Investigation Presiding Officers and Investigation Team.**

Line management is responsible for establishing a multidisciplinary internal investigation team which must include a SHE Representative of the affected area/section thereof as part of the team. Line management, subject matter expert, co-opted member and witnesses shall be involved in the investigation process where required and necessary.

Line management is responsible for the investigation of all occurrences (level 1 to level 4) in their areas of responsibility.

Persons appointed to investigate occurrences shall have the necessary competence and independence (where possible and necessary), both in relation to the nature and seriousness of the occurrence, and the scope and level of the investigation.

The presiding officer (chairperson) and team members for level 1 and 2 occurrences should be formally appointed as per the defined Transnet appointment letters, **Annexure 8.30 Presiding Officer Appointment Letter** and **Annexure 8.31 Investigation Team Member Appointment Letter.**

The appointed Chairperson and at least one (1) member of the investigation team for level 1 and 2 occurrences shall be from another OD/SBU/area/department to remove bias and allow for independent investigation.

In certain cases of level 1 and 2 where necessary, an external subject matter expert could be sourced to supplement the internal expertise available. Care shall be exercised that internal procurement processes are followed.

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The use of external attorneys, if at all, shall be restricted to those cases which may draw broader public interest and where it may bring Transnet into disrepute (i.e. for not having an independent occurrence investigation);

A Transnet Legal Adviser and other relevant subject matter experts (e.g. Engineers, Operations, etc.) should be considered to form part of the panel for occurrence investigations which should be inquisitorial in nature.

Chairperson for level 3 and 4 and investigation team members investigation can be nominated based on the criteria in the occurrence severity matrix and does not necessarily require an appointment letter.

It is recommended that each OD/SBU have a dedicated Occurrence Investigation team for major occurrences (Level 1 -2). This would be a multi-disciplinary team at an OD/SBU level, tasked with the objective investigation of major occurrences. The investigation approach is to learn and improve rather than avoiding litigation. This group should own the investigation policy and provide some of the core investigation training.

#### **6.1.9.2 Terms of Reference for Line Investigation**

Terms of Reference should be developed for Level 1 and 2 occurrence with a view of formally appointing/nominating the Presiding Officer (Chairperson) and investigation team as well as giving the team the scope of investigation. Refer to attached guideline, **Annexure 8.32 Transnet Terms of Reference for Level 1 and 2.**

The investigation for level 3 and 4 shall not require any documented terms of reference, the following scope will be adequate, which is to determine the following:

- Determine adequacy and effectiveness of the IMS.
- Establish immediate and root causes with an objective to take action to control and establish corrective actions in-order to prevent recurrence.

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- The outcome of the investigation shall not be used for consequence management purpose. Should deliberate unsafe behaviour be discovered during line investigation to determine the immediate cause(s), root cause(s) and system element(s) failure, a separate independent investigation into such behaviour shall be undertaken in line with Transnet Disciplinary Code and Procedure.
- Establish the effectiveness and the adequacy of the Policies, Procedures, Processes, Standards and Guidelines (PPPSG) governing such activity (task) being performed which resulted in an occurrence.

### **6.1.9.3 Line Investigation Method**

The final classification of an occurrence including escalated cases where there is a repeat of similar occurrences on regular basis, shall determine the level and intensity of line investigation to be undertaken.

The investigation for level 3 and 4 occurrences should be initiated immediately after the occurrence, be concluded and report signed off within seven (7) working days from the date of the occurrence.

In instances where the occurrence has led to an injury of an employee and the injured employee has not returned to work and other circumstances warranting non-compliance, a preliminary investigation shall be conducted and interim corrective and preventative action be implemented. The investigation shall be concluded within 7 days from the day an injured employee has returned to work.

In instances where an employee is unable to return to work due to long recuperation period, arrangement shall be made with an injured employee to carry out an investigation at a convenient time and place. Such arrangement shall afford the employee the respect and dignity he/she deserves.

Investigation for Level 1 and 2 occurrences should be established within 15 working days from the date of the occurrence.

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Investigation team members external to Transnet should sign a confidentiality undertaking, as per attached **Annexure 33 Transnet Confidentiality Undertaking**. It is also recommended that internal team members sign same undertaking especially for level 1 and 2 occurrences, as deemed necessary by the OD/SBU.

On-site investigation team should not form part of the line investigation team members.

Attendance register should be signed by all members and employees involved in the investigation. See Leadership Procedure for an applicable attendance register format.

Line investigation shall be conducted utilising a prescribed Transnet Line Investigation form as per **Annexure 8.34 Line Investigation Report for Level 1, Level 2 and Railway Occurrences** and **Annexure 8.35 Line Investigation Report for Level 3 and Level 4 Occurrences**.

The line investigation shall be conducted utilising one of the following prescribed Transnet Root Cause Analysis Techniques depending on the technicality and severity of the occurrence as defined in the **Continual Improvement Procedure – TRN-IMS-GRP-PROC-018-8.2**:

- Root Cause Analysis Technique (R-CAT), **Annexure 8.36 Root Cause Analysis Technique (R-CAT)**;
- 5-Why Root Cause Analysis Technique **TRN-IMS-GRP-GDL-018.1, Annexure 8.37** and Fishbone Cause and Effects technique **TRN-IMS-GRP-GDL-018.2, Annexure 8.38**.

The line investigation team shall systematically evaluate, assess and analyse all obtained evidence, data and information with the view to establish the root cause/s of the occurrence.

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Based on the immediate causes identified, the root cause(s) shall be informed by the above approved investigation technique in order to establish and analyse the evidence and identify the root cause(s) of the occurrence.

All employees shall cooperate with the investigation team when requested to do so. Employees shall be available to be interviewed by the line investigation team as and when required.

Identified witnesses may request to be interviewed in the presence of their Union Representative. The Union Representative is there to support and advice his/her member. The Union representative is not permitted to speak on behalf of the employee/witness.

An interpreter shall be arranged where a language barrier has been identified.

The team shall collect information pertaining to the occurrence. Information shall include but not limited to people, parts, position, paper and process. For further information refer to the Transnet Derailment Investigation handbook BBD6462 for guidelines pertaining to Railway occurrence investigation process. Investigate the control measures that have failed. These control measures would have been ideally identified through the baseline risk assessment process.

The team shall recommend the SMART corrective and preventative actions which addresses the root cause/s as informed and/or guided by the PPPSG.

Should deliberate unsafe behaviour be discovered during line investigation to determine the immediate cause(s), root cause(s) and system element(s) failure, a separate independent investigation into such behaviour shall be undertaken in line with Transnet Disciplinary Code and Procedure.

Any evidence obtained during the line investigation shall not be admissible in a separate independent investigation into the deliberate unsafe behaviour (referred to above). The purpose of the deliberate unsafe behaviour investigation is to determine

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if disciplinary action is to be taken against the perpetrator(s). This is done following Transnet Disciplinary Code.

The extent and intensity of the root cause analysis will be consistent in all the levels of the occurrence.

The principles of Just Culture are taken into account during the investigation and these have been developed to guide the team as per **Annexure 8.39 Just Culture Principles for Occurrence Investigation**.

In addition to the "Just culture" principles stipulated above, investigation team should follow the prescribed Code of Ethics for the investigation team as per **Annexure 8.40 Code of Ethics for Investigation Team**.

This investigation process shall include near miss investigations. A near miss severity matrix of the near misses has been developed as part of the reporting form in-order to guide the near misses that need to be investigated team; **Annexure 8.41 Near Miss Reporting and Severity Matrix Form (Report)**.

The responsible presiding officer with the assistance of the investigation team shall establish the root cause/s, other contributing factors, findings and initiate actions and target dates to resolve the findings and prevent recurrence.

#### **6.1.9.4 Technical Investigation**

In cases where the immediate cause(s) are of a technical nature (e.g. rail break, machinery failure, metallurgical, occupational disease, etc.), such evidence shall be subjected to further analysis such as laboratory testing and a technical report be issued.

The technical report should be considered by the line investigation team when determining the root cause/s of the occurrence.

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#### **6.1.9.5 Interviewing of the Witnesses**

The presiding officer of the line investigation team should take the lead in preparing questions for interviews, but may not necessarily always be the interviewer. The guidelines for interviewing witnesses have been developed to assist the investigation team when interviewing witnesses as per **Annexure 8.42 Guidelines for Interviewing Witnesses**.

Interview duties can be assigned to other investigation team members.

Interviews need to be taken in quiet, private, comfortable location that is free from disruption.

Consider providing frequent breaks for the effectiveness of the interviewing process.

#### **6.1.9.6 Evaluation of the Available Evidence Collated**

The investigation team should consider other types of evidence during an investigation as follows:

- Position that the injured employee was found in;
- Parts (Equipment, Tools, etc.) involved;
- Paper (written evidence) and etc.

#### **6.1.9.7 Re-enactment of the Scene**

If it needs be, the scene should be reconstructed in order to have a view of how the occurrence occurred.

#### **6.1.9.8 Defining of the Recommendations (Corrective & Preventative Actions)**

The line investigation team shall recommend SMART corrective and preventative actions that will prevent recurrence of similar occurrences in relation to the identified

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immediate cause(s), root cause(s), and system failure(s) as informed and/or guided by the PPPSG.

Engagements with all relevant stakeholders shall take place to reach consensus (without being unduly influenced) on the findings and recommendations.

The team should bear in mind not to create another risk whilst recommending corrective and preventative action.

#### **6.1.9.9 Line Investigation Report**

The line investigation team shall compile a report containing all significant information pertaining to the investigation.

The report shall have considered the onsite investigation report and other relevant information.

Executive summary shall entail occurrence synopsis, key finding(s), immediate and root cause(s) as well as the key recommendations that if implemented would prevent future recurrence. This ideally should not be more than one (1) page.

**Annexure 8.34 Line Investigation Report for Level 1, Level 2 and Railway Occurrences** should be used to generate final investigation report as a minimum.

The Chairperson of the investigation team for level 1 and 2 occurrences, shall present the final draft of the investigation report to the appropriate forum of the OD/SBU/department concerned for their inputs/alignment/acceptance of the report without unduly influencing the investigation outcome.

Should there be areas of disagreements which cannot be resolved during the discussion, the persons not in agreement should be afforded an opportunity of documenting areas where they are not in agreement with the report so that they can be annexed to the final report. This documented annexure to the final report shall be known as the minority report.

The Presiding Officer to ensure that the report is signed off by all the investigation team members.

The final report of the level 1 and 2 investigation shall be delivered within 30 calendar days (from the last sitting) to OD Corporate Divisional Executive/General Manager SHERQ/Security/Compliance Office.

The line manager shall ensure that the report is of good quality and all the associated documents or evidence is captured on the Transnet system.

Should new evidence surface after the final report has been issued, the investigation team should be assembled to look into the new evidence and issue an amendment to the original report which shall be indicated as such on the cover page.

#### **6.1.10 Disclosure of Occurrence Investigation Reports**

Where a request for disclosure of an occurrence investigation report is made, legal requirements as defined in the Protection of Information Act (Act 84 of 1982) and Protection of Personal Information Act (Act 4 of 2013) shall be followed. Transnet legal adviser should handle this request.

In order to maintain the integrity of the confidential nature of occurrence investigation reports, the circulation of such reports must be restricted to the absolute minimum (essential for recipients to be in receipt) and further circulation controlled;

Findings or instructions that must be communicated as a result of the occurrence investigation report must be communicated in a separate communication that does not refer back to the occurrence investigation report;

#### **6.1.11 Manage Corrective and Preventative Actions**

The line manager shall ensure that the report is distributed to allocated responsible person(s) for the development and implementation of action plan(s).

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Action plan(s) shall be Specific, Measurable, Attainable, Realistic and Time-bound in-order to address the recommendations.

Engagements with all relevant stakeholders shall take place to ensure alignment regarding the actions required.

Whilst formulating action plans, the team should bear in mind not to create another risk.

Senior Management or responsible person to approve the adequacy and effectiveness of the action plan.

Corrective and preventative actions shall be registered or loaded in the relevant recognized Transnet system.

#### **6.1.12 Monitoring, Evaluation, Validation of Corrective & Preventative Actions**

The progress on the implementation of the action plans shall be monitored and reported to the relevant Governance Committee (e.g. SHE Committee meeting, Operational Meetings and etc.) on the reasonable intervals for endorsement.

#### **6.1.13 Closing-Out Investigation**

The action plan may only be closed out once the allocated responsible person has verified that the corrective and preventative actions have been implemented.

#### **6.1.14 Occurrence Recalls, Communication and Lessons Learnt**

The organization will strive to learn from all occurrences and this shall be achieved by one of the following:

- Occurrence recall in-order to share lessons learnt; **Annexure 8.43 Occurrence Recall.**
- Occurrence Alert immediately after the occurrence (where necessary)

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- Occurrence will be communicated at Letsema/green area where employees will further participate in making relevant recommendations for corrective and preventative actions as part of lessons learnt.
- A work stoppage could be held for certain major occurrences where required.

The communication of lessons learnt from occurrences will be done using various communication channels and tools as outlined in the **Stakeholder Engagement and Management Procedure – TRN-IMS-GRP-PROC-007**, which shall include but not limited to:

- IMS review and other governance structure meetings
- Newsflash via emails
- Safety Alerts/Occurrence recall
- Symposiums
- Safety talk
- Green Area / Letsema
- Outcome of simulation exercises

#### **6.1.15 Occurrence Reviews and Trends Analysis**

A review of all occurrences within a specified period to establish trends should be undertaken.

The outcome of occurrence trend analysis will result into the reactive management of actions which shall serve a lagging indicators.

Based on the trends, additional actions or controls should be implemented and risk assessment review be conducted, where necessary.

#### **6.1.16 Occurrence Statistics and Reports**

Occurrences should be classified and recorded according to the required statistical reports (where applicable) for internal/external reporting and claims process purposes.

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#### **6.1.17 Management of Occurrences at Interface**

In the event of more than one operator and/or stakeholder being involved in any of the identified occurrence (e.g. railway, injuries, diseases, asset damage, security, maritime, HAZMAT, environment, etc, all parties shall report separately to the relevant the authorities depending on who is impacted.

Notification of such occurrences to the relevant interface stakeholder's internal hierarchical order should be followed in line with the agreed timelines.

General notification should also be sent to all the stakeholders in that location to alert everyone on that area.

Emergency response and contingency plans shall be established by each operator and/or stakeholder, shared between stakeholders and alignments be done through joint simulations between the involved parties.

Joint investigations for occurrences occurring at an interface shall be held where applicable. Such investigations shall be initiated by the landlord, network operator and/or as per the existing agreements defined in the **Interface Management Procedure - TRN-IMS-GRP-PROC-012**.

Such occurrence investigation reports must be made available "as and when" requested through the legal departments of both parties.

It will be through the joint investigations that level of accountability between the parties shall be derived at and enable parties to take necessary responsibilities.

#### **6.1.18 Management of Contractor Related Occurrences**

Based on the Section 37(2) agreement signed between the contractor and client, the contractor is an employer in his own right.

Occurrences as a result of the contractor activities impacting the employees of the contractor shall be reported by the contractor. Occurrences as a result of the contractor

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activities impacting the employees of the client shall be reported by the client. This will mainly be aligned to who is impacted in the context of Section 37(2).

Railway occurrences should be reported by an operator.

Notification of such occurrences between the contractor and client internal hierarchical order should be followed in line with the agreed timelines.

General notification should also be sent to all the stakeholders in that location to alert everyone on that area.

Emergency response and contingency plans shall be established by the contractor and client, shared between stakeholders and alignments be done through joint simulations between the involved parties.

Each stakeholder (contractor and client) shall be responsible for investigating their occurrences and report be shared by the contractor to the client. Joint investigations are however recommended depending on the severity and impact of the occurrence. Refer to the **Contractor Management Procedure - TRN-IMS-GRP-PROC-014** and Section 37(2) agreement.

Such occurrence investigation reports must be made available "as and when" requested through the legal departments of both parties.

## **6.2 NON-CONFORMANCE MANAGEMENT**

The non-conformance management process shall be followed when dealing with non-conformity(ies) within Transnet; **Annexure 8.44 Non-conformance Management Process Flow**.

### **6.2.1 Sources of Non-Conformances**

Non-conformances originate from internal operations, interaction with customers and failure by suppliers to adhere to Transnet specifications and requirements.

Examples of non-conformances are as follows (but not limited to):

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- Hazard or condition that arises and could threaten the health, safety and security of any person and could have a detrimental impact on the environment.
- Quality related non-conformances as defined in the relevant ODs/SBUs frameworks and procedures.
- Non-adherence to compliance obligations that applies to the organisation.
- Deviation from the specifications.
- Any condition that does not comply with the IMS and organisation PPPSG and any other requirements that the organisation subscribes to.
- Integrated Assurance activities (IMS internal, external and compliance obligations audit findings, inspections, monitoring etc.) outcomes. **Refer to Integrated Assurance Procedure – TRN-IMS-GRP-PROC-015.**

Non-conformances which in the objective view of Transnet or a department cannot be justified shall be disputed in line with the agreed dispute resolution processes and internal escalation processes.

### 6.2.2 Reporting of Non-Conformances

Non-conformances should be reported immediately to the relevant person(s) who need to confirm the relevance and accuracy, and line management address the non-conformance. A prescribed **Annexure 8.45 Non-conformance Reporting Form**, should be utilised for this purpose.

### 6.2.3 Non-Conformance Classification

Non-conformances will be classified according to table 2 below:

Table 2: Classification of Non-conformances Originating Internally within Transnet, External Accreditation Bodies & Regulatory Authorities		
Low Priority (LP) / Observations	Medium Priority (MP) / Minor	High Priority (HP) / Major
Non-conformances in which the auditor, assurer or an observer believes the system/product/situation/occurrences requires correction.	A random or isolated occurrence that by itself does not indicate a major deviation. This can be addressed by minor changes in the system or procedure or by a once	Significant deficiency and/or deviation that seriously impairs integrity and effectiveness of the system, procedures, and products can result in significant occurrence, reputational damage or is of legal nature. A significant amount of





**Table 2: Classification of Non-conformances Originating Internally within Transnet, External Accreditation Bodies & Regulatory Authorities**

Low Priority (LP) / Observations	Medium Priority (MP) / Minor	High Priority (HP) / Major
<p>NOTE: The non-conformances will be received as findings from integrated assurance audits and will already be classified as Priority 4 &amp; Priority 5 findings"</p> <p><b>These non-conformances should be resolved within the medium to long-term being 90 - 120 days.</b></p>	<p>off clean up or training exercise.</p> <p>NOTE: The non-conformances will be received as findings from integrated assurance audits and will already be classified as Priority 3 findings"</p> <p><b>These non-conformances should be resolved within the short to medium-term being 60 days.</b></p>	<p>reoccurring minor non-conformances can also lead to a high priority / major non-conformance.</p> <p>NOTE: The non-conformances will be received as findings from integrated assurance audits and will already be classified as Priority 1 and Priority 2 findings"</p> <p><b>These non-conformances should be resolved within the short-term being 30 days.</b></p>

Only the non-conformances from integrated assurance audits will be received classified as part of the report and non-conformances from other internal activities will not be classified. It will be the responsibility of SHERQSC Management Department to classify these other internal non-conformances in line with the classification matrix in table 2 above.

Non-conformances received from Accreditation bodies and regulatory Authorities will be received as classified from the external reports.

No-compliance Stop Certificate shall be only be issued by SHERQSC Management Department in the event of a major or high priority non-conformance arising as a result of a life threatening situation, major legal non-conformance and a recurring non-conformance; **Annexure 8.46 Non-compliance Stop Certificate.** A lock-out procedure shall be implemented to supplement the Stop certificate where applicable.

All non-conformances should be recorded manually and on the system.

#### **6.2.4 Non-Conformance Investigation**

The respective Line manager must assign an investigation team consisting of relevant stakeholders investigate the non-conformance.

Non-conformance investigation shall be conducted utilising a prescribed Transnet Line Investigation form **Annexure 8.35 Line Investigation Report for Level 3 and Level 4 Occurrences**.

The non-conformance investigation shall be conducted utilising one of the following prescribed Transnet Root Cause Analysis Techniques:

- Root Cause Analysis Technique (R-CAT), **Annexure 8.36 Root Cause Analysis Technique (R-CAT)**;
- 5-Why Root Cause Analysis Technique **TRN-IMS-GRP-GDL-018.1, Annexure 8.37** and Fishbone Cause and Effects technique **TRN-IMS-GRP-GDL-018.2, Annexure 8.38**.

#### **6.2.5 Recommend Corrective and Preventative Action**

The line management responsible for the area where non-conformance has occurred must take immediate correction to address the non-conformity.

The line management must further develop an action plan and ensure effective implementation of the corrective, preventative or mitigation measures as recommended.

The corrective action plan (CAP) will be developed using the corrective action capturing form; **Annexure 8.47, Corrective and Preventative Action Plan Capturing Register**.

The CAP must indicate the following:

- The source document e.g. investigation report, audit report, reports from Authorities, etc.
- The identified non-conformance

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- The recommendations from the report
- Actions developed to address recommendations
- Assigned responsible person/s to execute the actions
- Accountable person to ensure actions are properly executed
- The resources needed to execute the actions
- The milestones for the execution of the plan
- The implementation date
- Approval of the corrective action plan

Engagements with all relevant stakeholders shall take place to ensure alignment regarding the actions required.

Where recommended corrective and preventative action introduces new or changed hazards, the proposed actions shall be taken through a formal risk assessment prior to implementation, as defined in the **Operational Risk Management Procedure - TRN-IMS-GRP-PROC-004**. The implementation of these actions shall be accompanied by a management of change process.

Ensure corrective and preventative action taken eliminates the causes of actual and potential non-conformity(ies) is appropriate to the magnitude of problems and commensurate with the risk(s) encountered.

Ensure that any necessary changes arising from corrective and preventive action are made to the relevant documentation, e.g. SOP, etc.

Include rehabilitation from the environmental impacts (where applicable).

Corrective and preventative actions shall be registered or loaded in the relevant recognized Transnet system.

#### **6.2.6 Verification and Close-out of the Non-Conformance**

The corrective action plan should be signed off by relevant accountable person in the area.



Non-conformances should be resolved / closed out as outlined in table 1 (classification of non-conformities).

Legal non-compliances as a result of notices and directives by Regulatory authorities shall be addressed in line with the timelines stipulated by authorities.

Non-conformances which cannot be closed out within stipulated time line should be handled as part of management programmes/plans as defined in the **Objectives, Targets and Programmes Management Procedure – TRN-IMS-GRP-PROC-006.**

Line Management shall ensure documented verification of all completed action plans and conduct physical verification.

Evidence of execution must be submitted to/or monitored by the SHERQSC Management department for verification of the close-out.

Relevant accountable person shall ensure documented verification of all completed action plans and conduct physical verification.

Close-out of the non-conformance shall be followed up by independent verification.

Responsible person should update the system.

#### **6.2.7 Monitor and Review of the Effectiveness of the Corrective & Preventative Actions**

Monitoring of the effectiveness of corrective and preventative action shall be conducted through inspections, audits and management review.

Outstanding/overdue actions will be reported to management by the relevant SHERQSC Management Department through monthly reports.

#### **6.2.8 Record Non-conformances and Associated Documentation**

The following information and documentation must be captured on the system:



- Identified Non-conformances.
- Non-conformance Investigation reports.
- The corrective action plans
- The action close out evidence.

### **6.2.9 Non-Conformances Reviews and Trends Analysis**

The outcome of integrated assurance activities will result into the proactive management of actions which shall serve a leading indicators.

A review of all non-conformances within a specified period to establish trends should be undertaken.

Based on the trends, additional actions or controls should be implemented and risk assessment review be conducted, where necessary.

Non-conformances as per non-conformance classification in table 2 above, should be recorded according to the required statistical reports (where applicable) for internal/external reporting purposes.

### **6.2.10 Non-conformances Lessons Learnt**

The communication of lessons learnt from non-conformances to ensure the organisation strive to learn will be done using various communication channels and tools as outlined in the **Stakeholder Engagement and Management Procedure – TRN-IMS-GRP-PROC-007**, which shall include but not limited to including but not limited to:

- IMS review and other governance structure meetings
- Newsflash via emails
- Safety Alerts/Occurrence recall
- Symposiums
- Safety talk
- Green Area / Letsema
- Outcome of simulation exercises

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#### 6.2.11 Preventive Actions

The following measures could be considered as preventive actions:

- **Suggestions/ Pro-active Reporting**
  - Employees can raise potential occurrences in a form of near misses.
  - Employees shall be encouraged to make suggestions on innovative ideas or recommendations that can improve safety in their respective working environments.
- **Inspections and Other Monitoring Tools**
  - Any non-conformance arising from inspections and other monitoring programs shall be recorded and evaluated to determine trends to take the necessary precautionary steps.
- **Application on the Corrective Action for Similar Activities**
  - Whenever an occurrence or non-conformance is reported, it will be evaluated to determine whether a similar potential occurrence or non-conformance can happen in other areas or activities.
  - If deemed appropriate by the responsible person the corrective action will be implemented to prevent potential occurrences or non-conformances in the identified area.

#### 6.2.12 Continual Improvement

Non-conformances amongst other triggers from **Continual Improvement Procedure – TRN-IMS-GRP-PROC-018** will ensure proper initiatives are put in place to address this requirement.

Based on the occurrences incurred by organisation, analysis should be done to identify opportunities for improvement like technological solutions/innovations, etc.

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## **7. RECORDS**

- 7.1 Preliminary Reports
- 7.2 Occurrence Technical Reports
- 7.3 Transnet Notification for Level 1 and 2 Reports
- 7.4 On-site Investigation Reports
- 7.5 Line Investigation Reports
- 7.6 Attendance Registers
- 7.7 Near Miss Reports
- 7.8 Occurrence Recalls
- 7.9 Non-conformances Reports
- 7.10 Non-compliance Stop Certificates
- 7.11 Corrective and Preventative Action Plans

## **8. ANNEXURES**

- 8.1** Transnet Occurrence Management Process Flow
- 8.2** Transnet Occurrence Notification and Reporting Process Flow
- 8.3** SMS Notification Guideline for all Occurrences
- 8.4** Transnet Emergency Response Guideline
- 8.5** Transnet Emergency Response Process Flow
- 8.6** Guideline for Handling Employee Death in the Workplace
- 8.7** Transnet Occurrence Notification and Reporting Form (Preliminary Report)
- 8.8** Railway Occurrence Management Process Flow
- 8.9** Injury on Duty Occurrence Management Process Flow
- 8.10** Occupational Diseases & Illnesses Management Process Flow
- 8.11** Environmental Occurrence Management Process Flow
- 8.12** Maritime Occurrence Management Process Flow
- 8.13** Asset and Property Damage (including Motor Vehicle) Occurrence Management Process Flow



- 8.14** Security Occurrence Management Process Flow
- 8.15** HAZMAT, Fire, Explosion and Other Safety Occurrences Process Flow
- 8.16** Transnet Occurrence Notification and Reporting Form for Level 1 and 2
- 8.17** Incident Commander Appointment Letter
- 8.18** Incident Officer Appointment Letter
- 8.19** On-site Investigation Form (Incident Commander Report)
- 8.20** Railway Occurrence Technical Form
- 8.21** Injury on Duty Technical Form
- 8.22** Occupational Diseases & Illnesses Technical Form
- 8.23** Environmental Occurrence Technical Form
- 8.24** Maritime Occurrence Technical Form
- 8.25** Asset and Property Damage Occurrence Technical Form
- 8.26** Motor Vehicle Occurrence Technical Form
- 8.27** Security Occurrence Technical Form
- 8.28** HAZMAT, Fire, Explosion and Other Safety Occurrences Technical Form
- 8.29** Transnet Occurrence Severity Matrix (Guideline) for Line Investigation Presiding Officers and Investigation Team
- 8.30** Presiding Officer (Chairperson) Appointment Letter
- 8.31** Investigation Team Member Appointment Letter
- 8.32** Transnet Terms of Reference for Level and 2
- 8.33** Confidentiality Undertaking
- 8.34** Line Investigation Form (Report) for Level 1, Level 2 and Railway Occurrences
- 8.35** Line Investigation (Form) Report for Level 3 and Level 4 Occurrences
- 8.36** Root Cause Analysis Technique (R-CAT)
- 8.37** 5-Why Root Cause Analysis Technique
- 8.38** Fishbone Cause and Effects Technique
- 8.39** Just Culture Principles for Occurrence Investigation
- 8.40** Code of Ethics for Investigation Team
- 8.41** Near Miss Reporting and Severity Matrix Form (Report)
- 8.42** Guidelines for Interviewing Witnesses



- 8.43** Occurrence Recall
- 8.44** Non-conformance Management Process Flow
- 8.45** Non-conformance Reporting Form
- 8.46** Non-compliance Stop Certificate
- 8.47** Corrective and Preventative Action Plan Capturing Form

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