

## Yellow Book and Taking Safe Decisions

Section 15.2.2.6 of Yellow Book volume 2, issue 4 states that some aspects of the test of reasonably practicability required by UK law are still being clarified. The RSSB publication 'Taking safe decisions' provides that clarification. If you are applying the Yellow Book guidance on reasonable practicability, you should do so in the context of the guidance published in 'Taking Safe Decisions'.

'Taking Safe Decisions' advises that, when reaching a decision as to whether you have met the obligation in the Health and Safety at Work Act (etc) 1974 to reduce risk to a level which is as low as reasonably practicable (ALARP), you do not have to:

- divide risk into broadly acceptable, tolerable and intolerable regions and treat risks differently according to which region they fall into; or
- take account of any societal concern about risk. Societal concerns are an input to government decision making but other parties are not legally obliged to take them into account.

It may still be sensible to do either or both of these things. Categorising risks may help you to manage and prioritise them and companies may take societal concerns into account for business reasons. However, neither is required in order to comply with the law.

This clarification modifies some guidance in Yellow Book 4: section 2.4 of volume and sections 15.2.2.6 and 15.3.3.6 of volume 2.

'Taking Safe Decisions' uses the acronym SFAIRP ("so far as is reasonably practicable"). This is not used in the Yellow Book but has been used quite widely in the UK rail industry. 'Taking Safe Decisions' clarifies that SFAIRP refers to the same test as the acronym ALARP does.

RSSB published 'Taking Safe Decisions' in June 2008 to replace 'How Safe is Safe Enough?' 'Taking Safe Decisions' describes the industry consensus view of how decisions should be taken that properly protect the safety of rail industry staff, passengers and others, satisfy the law and respect the interests of stakeholders, whilst remaining commercially sound. 'Taking Safe Decisions' is available from RSSB, or from the RSSB website at

<http://www.rssb.co.uk/SAFETY/Pages/SAFETYDECISIONMAKING.aspx>