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# Well managed Highway Liability Risk

Richard Hayes

Chief Executive IHE

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# Agenda

- The New Code and its Recommendations
- Evidence Based Approach
- Implementing the New Code

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# The New Code and its Recommendations

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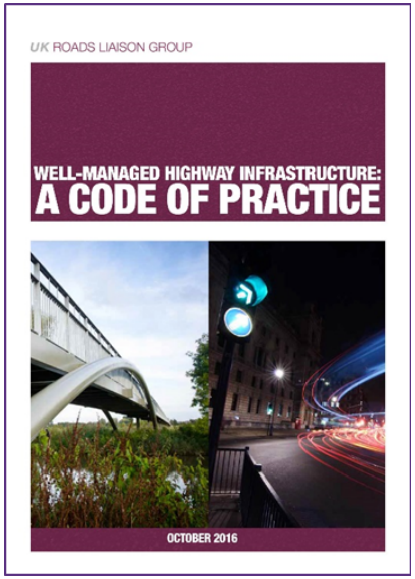
# Launch of the Code

- Published 28th October 2016
- Launched at ICE TAM Conference
- Freely available online via UKRLG website – electronic only
- Two year transition period
- Further launch / support activities being considered by DfT

**www.ukroadsliaisongroup.org**



# Why did we need to review the Codes?

- A review – not a re-write – of the current Codes:
  - Highways
  - Structures
  - Lighting
- Move to a local, risk based, approach
- Align with and build on principles and recommendations in recent publications, eg
  - Highway Infrastructure Asset Management Guidance
  - Potholes Review
  - Transport Resilience Review
- Common issues, some covered in varying ways in previous Codes
- More consistent style and feel for all Codes
- General updating

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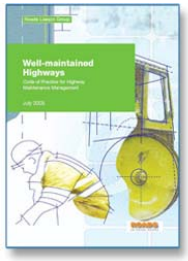
# What has the Review achieved?

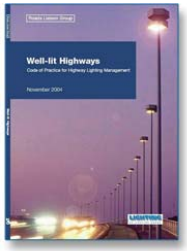
- Extensive consultation on draft versions
- Positive response by sector, over 900 comments received:
  - Highways, structures and lighting practitioners
  - Professional institutions
  - User groups
  - Risk, legal and insurance backgrounds
- Emphasis on a local, risk based approach
- An integrated approach across all assets
- Three previous Codes and their recommendations consolidated into a single document
- New Code approved by Steering Group and UKRLG

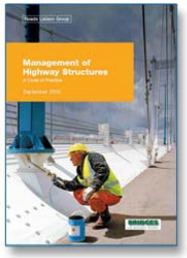
# What does the new Code look like?

**Previous Codes**:

- 930 pages
- 222 recommendations
- Many recommended ‘standards’
- Inconsistent with risk based approach!

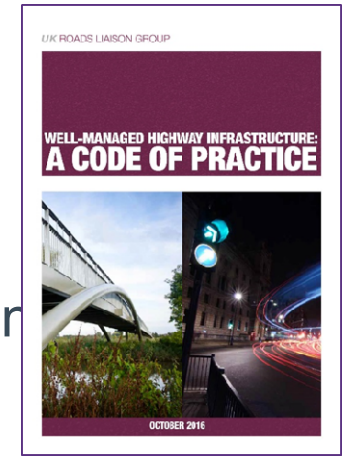


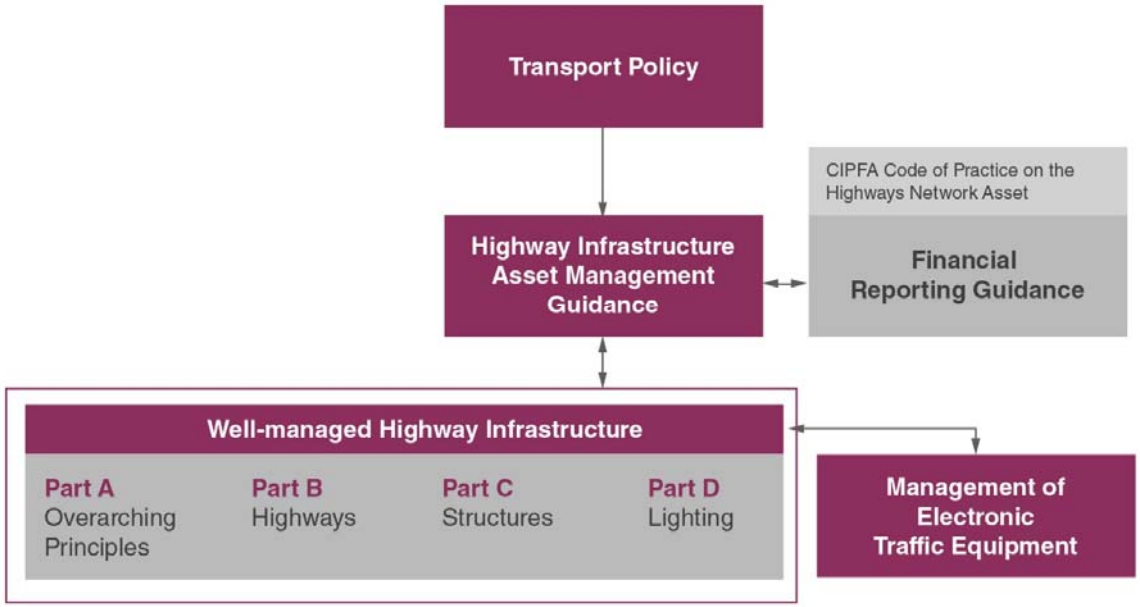




**New Code**:

- 244 pages
- 4 Parts
- 36 recommendation
- 0 ‘standards’



# How does the new Code fit in?



# What is in the Code (1) ?

Part 1 Overarching Principles

Parts 2,3, 4 Additional asset specific
- Highways, Structures, Lighting

- Code relies on and follows HIAMG
- Many references to external documents
  (but not part of the Code)

# What is in the Code (2)?

Overarching principles include:

- Principles, Status, Terminology, etc
- Policy, incl:
  - Risk based approach
  - Security minded approach
- Strategy and Hierarchy
- Resilience
- Performance
- Competences and Training
- Sustainability

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# What is not in the Code?

- Recommended ‘standards’, eg:
  - frequencies
  - specific defect advice (cat 1, cat 2, etc)
  - time periods
- Asset management advice
- Excessive detail
- Appendices - incl App H!
- Case studies
- Risk and Liability Guide (separate document)

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# Implementing the New Code

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# Why adopt the new Code?

Adoption of the recommendations is a matter for each highway authority, based on their own legal interpretation, risks, needs and priorities.

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# Why adopt the new Code?

Enables local levels of service based on needs, priorities and affordability

Encourages an integrated approach across assets, not silos

Code not statutory but provides highway authorities with guidance

Code may be seen as a relevant consideration in legal proceedings

Previous Codes cease to be relevant after October 2018

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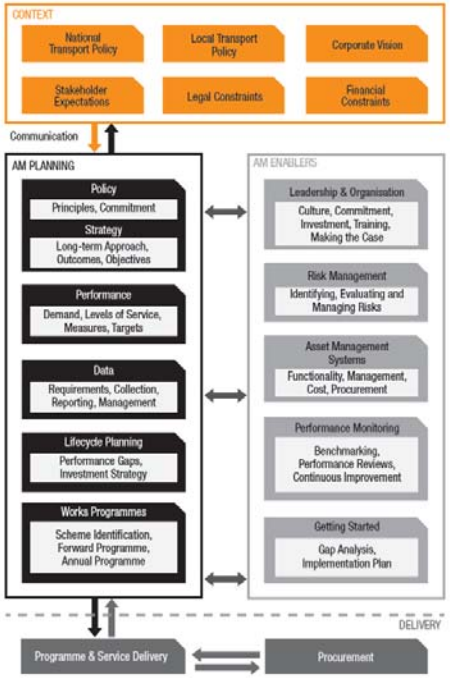
# RBA in Asset Management Context



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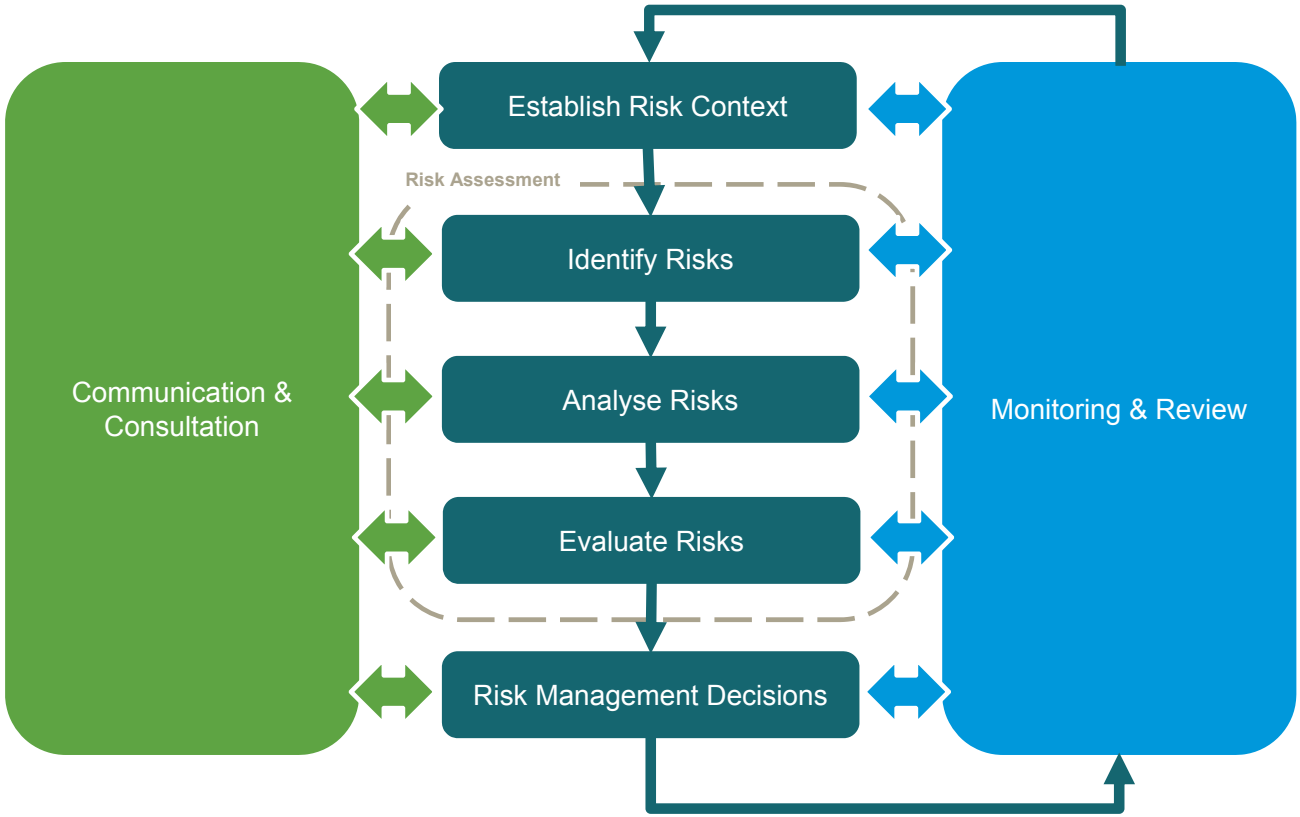
# Risk Management Process



# Developing the Risk Based approach (1)

Steps:

- Establish risk context
- Identify risks
- Evaluate risks
- Manage risks (eg hierarchy, LoS, delivery)
- Communication and consultation
- Monitoring and review

# Developing the Risk Based approach (2)

Based on:

- Understanding of corporate objectives, legal requirements, approach to risk (risk appetite)
- Understanding risk in highways service, eg people, infrastructure, data, finance, suppliers
- Understanding potential risks and their significance
- Understanding inventory/function/criticality of assets
- Establishment of hierarchies/levels of service/funding
- Implementation
- Evidence based reviews

Competencies to develop and implement the approach

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# Security Minded approach

- A new concept for many
- Hostile/malicious/fraudulent/criminal behaviour
- Consider risks and vulnerabilities – people, data, access, etc

eg:

- Recruitment
- BIM
- Social media
- Information held by others, eg suppliers
- Access to specific assets/areas

- Building/depot security
- Hacking
- Home/remote working

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