

Old index	Old clause	New index	New clause
Foreword			
Heading Publishing information			
	This document is published by Highways England.		This document is published by <u>National</u> Highways England .
	<p>This document supersedes the following documents, which are withdrawn:</p> <ol style="list-style-type: none"> 1) Departures Manual Rev 0 2) CHE Memorandum 106/01 'Departures Approvals System'. 3) CHE Memorandum 137/04 'Revision of Delegation of Responsibilities for Structures-Related Departures from Standards and Specifications'. 4) Procedures Manual (2001) - Volume: 'Improving the Network', Chapter 7: 'Departures from Standards'. 5) Procedures Manual (2001) - Volume: 'Maintaining the Network', Chapter: 'Procedures for Departures'. 6) Way we Work 'Retrospective Structures Related Departures'. 7) Departures from road geometry standards (DMRB Volume 6) – Guidelines for designers. 8) Departures Word Submission Form & Guidance v7 9) Appraisal of Departures (2004) 10) Level 1 Departures (2004) 11) Departures Specialist Submission Points list (2018) 12) Departure Submission Guidance Using Web DAS (2007) 		<p>This document supersedes the following documents, which are withdrawn:</p> <ol style="list-style-type: none"> 1) Departures Manual Rev 0 <u>Departures Manual Rev 1</u> 2) CHE Memorandum 106/01 'Departures Approvals System'. 3) CHE Memorandum 137/04 'Revision of Delegation of Responsibilities for Structures-Related Departures from Standards and Specifications'. 4) Procedures Manual (2001) – Volume: 'Improving the Network', Chapter 7: 'Departures from Standards'. 5) Procedures Manual (2001) – Volume: 'Maintaining the Network', Chapter: 'Procedures for Departures'. 6) Way we Work 'Retrospective Structures Related Departures'. 7) Departures from road geometry standards (DMRB Volume 6) – Guidelines for designers. 8) Departures Word Submission Form & Guidance v7 9) Appraisal of Departures (2004) 10) Level 1 Departures (2004) 11) Departures Specialist Submission Points list (2018) 12) Departure Submission Guidance Using Web DAS (2007)
Introduction			
	Departures are used to formalise the assessment, appraisal and approval for all instances where mandatory requirements are not implemented during projects on the Motorway and All-Purpose Trunk Road Network. In 2018/19, a new process for handling departures and a refresh to the supporting information systems was introduced.		Departures are used to formalise the assessment, appraisal and approval for all instances where mandatory requirements are not implemented during <u>projects</u> schemes on the Motorway and All-Purpose Trunk Road Network. In 2018/19, a new process for handling departures and a refresh to the supporting information systems was introduced.
Heading Vision and objectives for the new departures process			

<p>Departures are a value-adding mechanism for Highways England to realise benefits from innovation and value engineering, supported by robust safety and economic cases. They are also necessary where the constraints of the project do not permit a design to standards. In all cases, the use of high quality evidence is required for effective and expedient decision making.</p>	<p>Departures are a value-adding mechanism for <u>National</u> Highways England to realise benefits from innovation and value engineering, supported by robust safety and economic cases. They are also necessary where the constraints of the <u>projectscheme</u> do not permit a design to standards. In all cases, the use of high quality evidence is required for effective and expedient decision making.</p>
<p>Through reducing the quantity and improving the quality and timeliness of submissions, the impacts to project delivery through processing departures will be significantly reduced and technical specialists will have better availability to support projects.</p>	<p>Through reducing the quantity and improving the quality and timeliness of submissions, the impacts to <u>projectscheme</u> delivery through processing departures will<u>are</u> be significantly reduced and technical specialists will have better availability to support <u>projectschemes</u>.</p>
<p>This will be enabled by introducing early engagement between projects and the Highway England Safety Engineering and Standards Directorate (SES), using a strong, positive dialogue facilitated by the Technical Partners to mitigate abortive effort. Through undertaking more constructive activity at the front end, the back end (delaying aspects) of departures will be reduced.</p>	<p>This will<u>is</u> be enabled by introducing early engagement between <u>projectschemes</u> and the Highway<u>National</u> England<u>Highways</u> Safety Engineering and Standards Directorate (SES), using a strong, positive dialogue facilitated by the Technical Partners to mitigate abortive effort. Through undertaking more constructive activity at the front end, the back end (delaying aspects) of departures will<u>are</u> be reduced.</p>
<p>The new guidance and tools re-enforce a view that the submission of departures is a milestone in the process – not the start – and at its best, processing should be the formal governance process applied to matters that are essentially already agreed.</p>	<p>The<u>This new</u>process <u>guidance</u> and <u>associated</u> tools re-enforce a view that the submission of departures is a milestone in the process – not the start – and at its best, processing should be the formal governance process applied to matters that are essentially already agreed.</p>
<p>This Departures Manual specifies the processes to be followed in handling departures, providing advice to maximise the value of departures as a mechanism and minimise the waste and risk that can occur when departures are not managed well. The "new process" implemented in this manual does not represent a significant change from the previous processes that have been applied for departure applications, but instead focuses on the "front-end" of a departure's life to make sure that projects do not carry unacceptable risk or waste associated with departures that are appraised too late in the project life cycle.</p>	<p>This Departures Manual specifies the processes to be followed in handling departures, providing advice to maximise the value of departures as a mechanism and minimise the waste and risk that can occur when departures are not managed well. The "new-process" implemented in this manual does not represent a significant change from the previous processes that have been applied for departure applications, but instead focuses on the "front-end" of a departure's life to make sure that <u>projectschemes</u> do not carry unacceptable risk or waste associated with departures that are appraised too late in the <u>projectschemes</u> life cycle.</p>
<p>Alongside the first publication of this manual, WebDAS and DAS 2 were retired and replaced by a new web-based application, DAS 3.0 (simply referred to as "DAS" throughout this manual). The new DAS streamlines the departures handing process and improves the visibility and opportunities for collaboration between all role holders. A background to the decisions taken to develop this manual and DAS is given in Appendix E. Background.</p>	<p>Alongside the first publication of this manual, WebDAS and DAS <u>2.0</u> were retired and replaced by a new web-based application, DAS 3.0 (simply referred to as "DAS" throughout this manual). The new DAS streamlines the departures handing process and improves the visibility and opportunities for collaboration between all role holders. A background to the decisions taken to develop this manual and DAS is given in Appendix E. Background.</p>
<p>A number of other activities are being undertaken in alignment with this vision including the DMRB refresh and continuous improvement and training with stakeholders to improve knowledge and competence with regards departures. Through feedback and lessons learned, this manual will be revised to promote a higher performing departures process.</p>	<p>A<u>This number</u>manual <u>of</u> <u>is</u> <u>other</u><u>regularly</u> <u>activities</u><u>reviewed</u> <u>are</u><u>based</u> <u>being</u><u>on</u> <u>undertaken</u> <u>in</u> <u>alignment</u> <u>with</u> <u>this</u> <u>vision</u> <u>including</u> <u>the</u> <u>DMRB</u> <u>refresh</u> <u>and</u> <u>continuous</u> <u>improvement</u> <u>and</u> <u>training</u> <u>with</u> <u>stakeholders</u> <u>to</u> <u>improve</u> <u>knowledge</u> <u>and</u> <u>competence</u> <u>with</u> <u>regards</u> <u>departures</u>. Through <u>feedback</u> <u>and</u> <u>lessons</u> <u>learned</u>, <u>learn</u><u>t</u> <u>this</u> <u>manual</u> <u>will</u> <u>be</u> <u>revised</u> <u>to</u> <u>promote</u> <u>a</u> <u>higher</u> <u>performing</u> <u>departures</u> <u>process</u>.</p>

Heading Background	
Sub Heading <u>Technical Governance of Highways Projects</u>	Sub Heading <u>Technical Governance of Highways ProjectsSchemes</u>
<p>It is a requirement that all Highways England projects are designed, specified and procured in accordance with these standards which are drawn up following extensive research, trials and experience. The requirements and advice contained in standards provide a mechanism for optimising the solutions to a wide range of design situations within the specific context of the project, where the design decisions have consequences for the safe and productive delivery of construction, operations, maintenance and retirement of the road network.</p>	<p>It is a requirement that all NationalHighways Englandschemes projectsare designed, specified and procured in accordance with these standards which are drawn up following extensive research, trials and experience. The requirements and advice contained in standards provide a mechanism for optimising the solutions to a wide range of design situations within the specific context of the projectscheme, where the design decisions have consequences for the safe and productive delivery of construction, operations, maintenance and retirement of the road network.</p>
<p>Therefore standards are developed with the following considerations in mind:</p> <ol style="list-style-type: none"> 1) Safety 2) Consistency between projects 3) Value for Money on a whole-life basis 4) Acceptable level of performance 5) Sustainability 6) Mitigating effects on the environment 	<p>Therefore standards are developed with the following considerations in mind:</p> <ol style="list-style-type: none"> 1) Safety 2) Consistency between projectsschemes 3) Value for Money on a whole-life basis 4) Acceptable level of performance 5) Sustainability 6) Mitigating effects on the environment
<p>The benefits to be delivered by any project should be determined through early discussion and agreement with client, designer and stakeholder representatives. The flexibility within these documents should be used to produce value-driven optimal solutions to project challenges identified by assessments.</p>	<p>The benefits to be delivered by any projectscheme should be determined through early discussion and agreement with client, designer and stakeholder representatives. The flexibility within these documents should be used to produce value-driven optimal solutions to projectscheme challenges identified by assessments.</p>
Sub Heading <u>Developments in Highways England's standards</u>	Sub Heading <u>Developments in HighwaysNational EnglandHighway's standards</u>

In July 2012, the Industry Standards Group published a report “Specifying Successful Standards” ICE SSE [Ref 19.I] . which discussed the distinction between requirements and advice in standards and set out a rational approach that provides the basis for governance and control of projects whilst permitting scope for:

- 1) Embracing the context of the project
- 2) Innovation and ingenuity to embrace new technology and meet new challenges

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- 1) Embracing the context of the ~~project~~scheme
- 2) Innovation and ingenuity to embrace new technology and meet new challenges

Through Annex C of the Highways England Framework document, agreed with Department for Transport (DfT) in April 2015, Highways England undertook to review and update the DMRB. The DMRB refresh has embraced the principles of “Specifying Successful Standards” and has reinforced the distinction between:

- 1) statutory requirements
- 2) national requirements of the overseeing organisation
- 3) advice

Through Annex C of the ~~'Highways England Framework document'~~, agreed with Department for Transport (DfT) in April 2015, ~~National Highways England~~ undertook to review and update the DMRB. The DMRB refresh ~~has~~ embraced the principles of “Specifying Successful Standards” and ~~has~~ reinforced the distinction between:

- 1) statutory requirements
- 2) national requirements of the overseeing organisation
- 3) advice

This is reflected in consistent terminology being introduced through the DMRB and a clear relationship with departures. These distinctions are important and are summarised in the table below.

Relationship between departures and language used following the DMRB refresh

Term	Application	Departure permission
Must	Mandatory - statutory requirement	Not permitted
Shall	Mandatory - national requirement of the overseeing organisation	Permitted in accordance with the processes in this manual
Should	Advice - recommendation	Not applicable - designer maintains justification through design management systems
May	Advice - permission	Not applicable - designer records decision making through design management systems
Can	Advice - statement of fact	Not applicable.

This ~~is~~was reflected in consistent terminology being introduced through the DMRB (full refresh completed in March 2020) and a clear relationship with departures. These distinctions are important and are summarised in the table below.

Relationship between departures and language used following the DMRB refresh

Term	Application	Departure permission
Must	Mandatory - statutory requirement	Not permitted
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Can	Advice - statement of fact	Not applicable.

<p>In time through future update projects and regular review cycles, Highways England anticipates all of its standards will be reviewed to clarify what is absolutely mandatory and where departures are permitted and to enable more innovation through better use of performance-based requirements supported by robust advice.</p>	<p><u>The MCHW is being reviewed and updated similarly.</u> In time through future update projects<u>schemes</u> and regular review cycles, <u>National</u> Highways England anticipates all of its standards will be reviewed to clarify what is absolutely mandatory and where departures are permitted and to enable more innovation through better use of performance-based requirements supported by robust advice.</p>
<p>Heading Departures</p>	
<p>In such cases, a departure from requirement may be considered, providing that it is consistent with current legislation and with Highways England policy. This includes ensuring safety, maintainability and value for money on a whole life basis</p>	<p>In such cases, a departure from requirement may be considered, providing that it is consistent with current legislation and with <u>National</u> Highways England policy. This includes ensuring safety, maintainability and value for money on a whole life basis</p>
<p>The standards governing work on the motorway and all-purpose trunk road network should not be applied in such a rigid manner that innovative ideas are discouraged or project costs are increased unnecessarily. However, Highways England directorates cannot expend public funds on an aspect that does not comply with requirements unless an appropriate technical approval has been given. Therefore, all departures need to be appraised to ensure that robust justification exists for not adopting a design fully in accordance with requirements.</p>	<p>The standards governing work on the motorway and all-purpose trunk road network should not be applied in such a rigid manner that innovative ideas are discouraged or project<u>scheme</u> costs are increased unnecessarily. However, <u>National</u> Highways England directorates cannot expend public funds on an aspect that does not comply with requirements unless an appropriate technical approval has been given. Therefore, all departures need to be appraised to ensure that robust justification exists for not adopting a design fully in accordance with requirements.</p>
<p>The departures process provides the means for providing this assurance and recording the justifications as an important component of Highways England's audit trail and asset data. Each year over 1000 departure applications are submitted to Highways England for appraisal and determination.</p>	<p>The departures process provides the means for providing this assurance and recording the justifications as an important component of <u>National</u> Highways England's audit trail and asset data. Each year over 1000<u>750</u> departure applications are submitted to <u>National</u> Highways England for appraisal and determination.</p>
<p>Sub Heading <u>Changes being introduced through this manual</u></p>	<p>Sub Heading <u>Changes being introduced through this manual</u></p>

<p>Highways England's Technical Assurance and Governance Group (TAGG), custodians of both standards and the departures process have undertaken research into how departures are handled and has identified the following primary historical areas of concern:</p> <ol style="list-style-type: none"> 1) Departure applications that are not fully justified or contain quality issues. 2) Poor understanding by the supply chain of what Technical Specialists are looking for when appraising departure applications in unfamiliar scenarios. 3) Departures submitted late in the project so that programme is impacted and decision making is too late to be implemented. 4) Poor visibility of upcoming workloads or progress of a departure when someone else "has the ball". 	<p><u>National</u> Highways England's Technical Assurance and Governance Group (TAGG), custodians of both standards and the departures process have undertook undertaken research into how departures are handled and has identified the following primary historical areas of concern:</p> <ol style="list-style-type: none"> 1) Departure applications that are not fully justified or contain quality issues. 2) Poor understanding by the supply chain of what Technical Specialists are looking for when appraising departure applications in unfamiliar scenarios. 3) Departures submitted late in the <u>projectscheme</u> so that programme is impacted and decision making is too late to be implemented. 4) Poor visibility of upcoming workloads or progress of a departure when someone else "has the ball".
<p>Through embracing lessons learned the new departures process, supported by DAS, will deliver the following benefits:</p> <ol style="list-style-type: none"> 1) Provide a means of establishing and viewing of overall "pipeline" of departures – by programme, project, stage and criticality. 2) Provide early warning and risk (opportunity/threat) management for those projects and departures that have been identified with high complexity and/or criticality. 3) Support departure related activity of <ol style="list-style-type: none"> a) Designers b) SES Teams c) Project Managers 4) Provide enhanced reporting to support forward planning of limited technical specialist resources 5) Support early allocation and engagement of technical specialist(s) to a departure. 6) Introduce the process of providing provisional agreement for a critical departures. 7) Provide a rational progression towards development of the full departure submission. 8) Provide visibility of areas where SES Technical Partners are required to provide input/facilitation. 9) Introduce a new focus on quality management in designers to ensure departures are submitted at the right quality first time. 	<p>Through embracing lessons learned<u>learnt</u> the new departures process, supported by DAS, will targets deliver the following benefits:</p> <ol style="list-style-type: none"> 1) Provide a means of establishing and viewing of overall "pipeline" of departures – by programme, <u>projectscheme</u>, stage and criticality. 2) Provide early warning and risk (opportunity/threat) management for those <u>projectschemes</u> and departures that have been identified with high complexity and/or criticality. 3) Support departure related activity of <ol style="list-style-type: none"> a) Designers b) SES Teams c) Project Managers 4) Provide enhanced reporting to support forward planning of limited technical specialist resources 5) Support early allocation and engagement of technical specialist(s) to a departure. 6) Introduce the process of providing provisional agreement for a critical departures. 7) Provide a rational progression towards development of the full departure submission. 8) Provide visibility of areas where SES Technical Partners are required to provide input/facilitation. 9) Introduce a new focus on quality management in designers to ensure departures are submitted at the right quality first time.
<p>The formal departure submission process is essentially the same as in DAS 2.0 but on a much more flexible, web-based software platform that provides easier access and collaboration. Role and responsibilities have been clarified and processes have been streamlined to minimise the time departure application spend waiting for review or action.</p>	<p>The formal departure submission process is essentially the same as <u>that</u> in DAS 2.0 but on a much more flexible, web-based software platform that provides easier access and collaboration. Role and responsibilities have are been clarified and processes have been streamlined to minimise the time departure application<u>applications</u> spend waiting for review or action.</p>
<p>In addition, a number of other important changes are being introduced by other parts of Highways England that will smooth the departures process, namely:</p> <ol style="list-style-type: none"> 1) Introduction of the SES Technical Partners team to provide an interface for appropriate interaction between projects and Technical Specialists. 2) Appointment of technical advisors and similar roles within Major Projects Directorate to improve project technical assurance, who can review departure applications for quality, completeness and acceptability prior to submission. 3) Review of the DMRB to improve the distinction between requirements and advice, support more supply chain innovation and remove out of date content. 	<p>In addition, a number of other important changes are have being been introduced by other parts of <u>National</u> Highways England that will smooth the departures process, namely:</p> <ol style="list-style-type: none"> 1) Introduction of the SES Technical Partners team to provide an interface for appropriate interaction between <u>projectscheme</u> and Technical Specialists. 2) Appointment of technical advisors and similar roles within Major Projects Directorate to improve <u>projectscheme</u> technical assurance, who can review departure applications for quality, completeness and acceptability prior to submission. 3) Review of the DMRB to improve the distinction between requirements and advice, support more supply chain innovation and remove out of date content. <u>The MCHW is under going a similar review.</u>

Sub Heading **Identification, criticality assessment and progression of departures**

Figure 1 shows the intended programming of departures in the context of project life cycle, and the importance of identifying and categorising critical departures as soon as possible to ensure early and timely engagement with Technical Specialist. Sections 3 and 4 provides descriptors of the six departure criticality levels and relates these to their idealised progression in the project life cycle.

Figure 1 - Programming of departures in the context of the project lifecycle

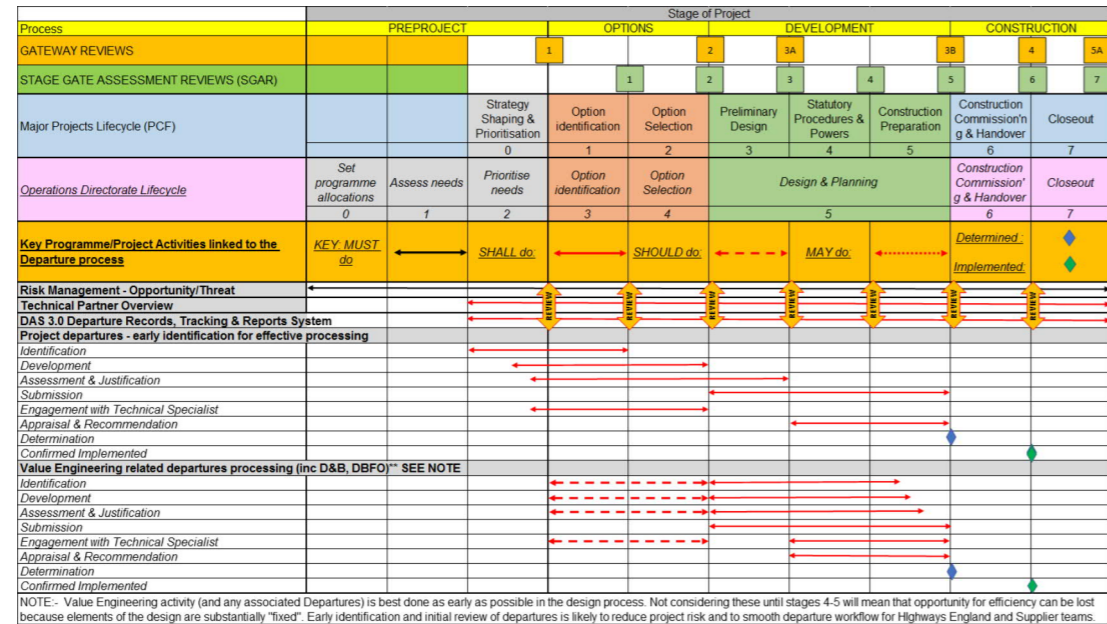
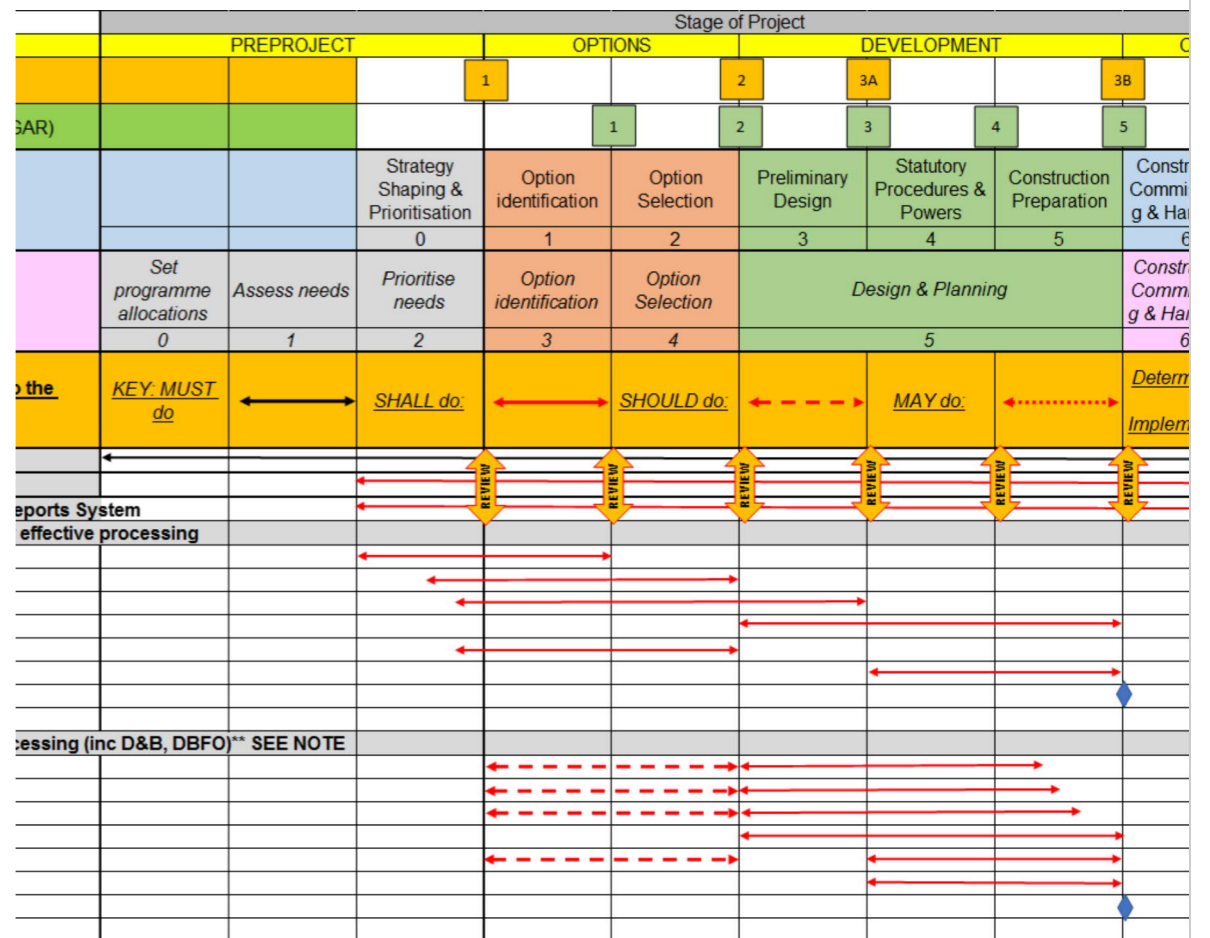


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Departures in the context of the project lifecycle



Heading **This Manual**

Sub Heading **Objectives of the Departures Manual**

This document details the departure application and approval process. It includes details of the DAS Process. It provides

- 1) Advice for Highways England staff on the governance and appraisal of departure applications.
- 2) Advice for design organisations on the phases of departure applications
 - a) Identification
 - b) Recording
 - c) Categorisation
 - d) Early engagement
 - e) Development
 - f) Assessment
 - g) Submission
 - h) Appraisal
 - i) Determination
- 3) Advice for Highways England Staff, Designers and Constructors to ensure that departures are
 - a) Incorporated into the works.
 - b) Fully documented and recorded to support asset management and audit.

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- 3) Advice for National Highways ~~England~~ Staff, Designers and Constructors to ensure that departures are
 - a) Incorporated into the works.
 - b) Fully documented and recorded to support asset management and audit.

Sub Heading **The structure, content and intended audience of the Departures Manual**

This document sets out:

- 1) The departures process
- 2) The actions that need to be taken at each stage of the programme or project
- 3) How early development of a departure should be done, how this reduces programme or project risk and ensures timely determination
- 4) The scope of the decision-making process
- 5) The roles and responsibilities of all role holders in the supplier organisation and Highways England.
- 6) The procedure to be followed by designers/proposers when applying for departures
- 7) The procedure to be followed by Highways England when appraising and determining departure applications
- 8) The main design considerations and key assessment requirements so that fully justified applications are discussed and submitted for all departures at the appropriate stage of development
- 9) How the outcome of the departure process should
 - a) Produce a permanent record of each departure application
 - b) Produce an audit trail for each application documenting the decisions made at each stage
 - c) Include full justifications for each of the decisions
 - d) Ensure that the departure application is processed and determined at the most appropriate stage of programme or project development
 - e) Provide an evidence base for similar future applications and/or a change to the requirement if departures are being routinely granted.

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- 1) The departures process
- 2) The actions that need to be taken at each stage of the programme or ~~projectscheme~~
- 3) ~~How~~ The need for early development of a departure ~~should be done~~, how this reduces programme or ~~projectscheme~~ risk and ensures timely determination
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- 5) The roles and responsibilities of all role holders in the supplier organisation and National Highways ~~England~~.
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Different parts of the manual are applicable to roles of

- 1) Designer
- 2) Proposer
- 3) Contractor
- 4) Project Manager/Project Sponsor
- 5) Specialist Submission Point
- 6) Technical Specialist
- 7) Authorising Signatory

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- 6) Technical Specialist
- 7) Authorising Signatory

The table below summarises the intended audience for each section of the manual.

Summary of sections and intended audiences

	Project Manager	Designer	Proposer	Specialist Submission Point	Technical Specialist	Authorising Signatory
1. Scope	✓	✓	✓	✓	✓	✓
2. Roles	✓	✓	✓	✓	✓	✓
3. Process overview	✓	✓	✓	✓	✓	✓
4. Timely handling of departures	✓	✓	✓	✓	✓	
5. Preparing a departure application		✓	✓			
6. Project governance for departures	✓					
7. Appraising departure applications				✓	✓	✓
8. Related departures and departures that apply at more than one location		✓	✓		✓	✓
9. Guidance for specific circumstances	✓	✓	✓	✓	✓	✓
10. Confidentiality		✓	✓			
11. Continuous improvement through the departures process	✓	✓	✓	✓	✓	✓

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4. Timely handling of departures	✓	✓	✓	✓	✓	
5. Preparing a departure application		✓	✓			
6. Project governance for departures	✓					
7. Appraising departure applications				✓	✓	✓
8. Related departures and departures that apply at more than one location		✓	✓		✓	✓
9. Guidance for specific circumstances	✓	✓	✓	✓	✓	✓
10. Confidentiality		✓	✓			
11. Continuous improvement through the departures process	✓	✓	✓	✓	✓	✓

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2. Roles	✓	✓	✓	✓	✓	✓
3. Process overview	✓	✓	✓	✓	✓	✓
4. Timely handling of departures	✓	✓	✓	✓	✓	✓
5. Preparing a departure application		✓	✓			
6. Project governance for departures	✓					
7. Appraising departure applications	✓			✓	✓	✓
8. Related departures and departures that require more than one location		✓	✓		✓	✓
9. Guidance for specific circumstances	✓	✓	✓	✓	✓	✓
10. Confidentiality	✓	✓	✓			
11. Continuous improvement through the departure process	✓	✓	✓	✓	✓	✓

Sub Heading **Status of this manual**

This manual is a procedures document, enforced through the projects requirements that are owned by the Project Manager. This manual does not form part of the DMRB nor any other standards, but Project Managers are strongly advised to adopt it. Under exceptional circumstances, a project may choose to adopt alternative procedures for handling departures, though this would need to be agreed with each of the affected Specialist Submission Points and the Departures Administration Team, as well as precluding the use of DAS for administering the appraisal and approval process.

This manual is a procedures document, enforced through the [projectscheme](#) requirements that are owned by the Project Manager. This manual does not form part of the DMRB nor any other standards, but Project Managers are strongly advised to adopt it. Under exceptional circumstances, a [projectscheme](#) may choose to adopt alternative procedures for handling departures, though this would need to be agreed with each of the affected Specialist Submission Points and the ~~Departures Administration Team, as well as precluding the use of DAS for Admin~~ [administering the appraisal and approval process](#) ~~team~~.

Abbreviations and symbols

Abbreviations

Abbreviation	Definition
AMOR	Asset Maintenance and Operational Requirements
ASC	Asset Support Contractor
AD	Asset Delivery
D&B	Design and Build
DAS	Departure Approval System
DBFO	Design, Build, Finance and Operate
DMRB	Design Manual for Roads and Bridges
ECI	Early Contractor Involvement
IAN	Interim Advice Note
LHA	Local Highway Authority
MAC	Managing Agent Contractor
MCHW	Manual of Contract Documents for Highway Works
NMM	Network Management Manual
OD	Operations Directorate
RWSC	Highways England's 'Routine & Winter Service Code'.
SCRG	Safety Control Review Group
SES	Safety Engineering and Standards directorate
SSP	Specialist Submission Point
TAGG	Technical Assurance and Governance Group
TMMM	Technology Management and Maintenance Manual

Abbreviations

Abbreviation	Definition
AMOR	Asset Maintenance and Operational Requirements
ASC	Asset Support Contractor
AD	Asset Delivery
D&B	Design and Build
DAS	Departure Approval System
DBFO	Design, Build, Finance and Operate
DMRB	Design Manual for Roads and Bridges
ECI	Early Contractor Involvement
IAN	Interim Advice Note
LHA	Local Highway Authority
MAC	Managing Agent Contractor
MCHW	Manual of Contract Documents for Highway Works
NMM	Network Management Manual
OD	Operations Directorate
RWSC	HighwaysNational England ' Highway 's 'Routine & Winter Service Code'.
SCRG	Safety Control Review Group
SES	Safety Engineering and Standards directorate
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New

Terms and definitions

Terms and Definitions

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Alternative Proposals	The name given to a departure application submitted as part of a DBFO scheme.
Application	The form that is submitted for appraisal comprising the core information, technical justification and assessment of benefits, risks and impacts.

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Application	The form that is submitted for appraisal comprising the core information, technical justification and assessment of benefits, risks and impacts.

Appraisal	The review undertaken by a Technical Specialist to inform a recommendation.
Approval	The determination that the departure may be incorporated into the works.
Aspect not covered by requirements	A design feature or method not included in the requirements and thus requiring a departure.
Assessment	The activities undertaken by the Designer to develop the technical justification and benefits, risks and impacts for a departure application and determine if the departure presents a net-benefit to Highways England.
Authorisation	A Technical Specialist's recommendation is authorised to be passed to the Project Manager for determination.
Bulk departure	A departure where the same non-compliant method or procedure relates to more than one location or asset.
Condition	A requirement that is to be satisfied by the designer for an approved departure to be valid for incorporation into the works. Has the same status as standards for an approved departure.
Departure (previously: Departure from Standards)	A proposal to derogate from requirements contained in Highways England's standards.
Departure Approval System	Highways England's database for tracking and managing departure applications and recording determinations.
Design and Build	A form of procurement used by Highways England.
Design, Build, Finance and Operate	A form of private finance-based procurement used by Highways England
Departure	A incident of non-conformance with a requirement in design or delivery of highway works.
Departures process	The process defined by this manual for the identification, development, assessment, appraisal and determination of departures.
Determination	The decision to approve, approve with conditions or reject a departure application, based on the Technical Specialist's recommendation and taking account of contractual, commercial and programme issues.
Disposal	Activities relating to decommissioning an asset, including dismantling, demolition and removal.
Early Contractor Involvement	A form of procurement used by Highways England that enables a Contractor to be represented during the design stages to input to designs for buildability.
EEA State	A state within the European Economic Area, i.e. the European Union (EU) member states, Norway, Iceland or Liechtenstein.
Generic departure	A departure applied on a project, programme, contract or area basis.
Incorporated	When a departure is incorporated into the completed works on site.
Interim document	A document that is published by Highways England as an alternative or supplement to the published standards. Includes Interim Advice Notes and Area Management Memoranda.

Appraisal	The review undertaken by a Specialist Submission Point , Technical Specialist and Authorising Specialist to inform a recommendation.
Approval	The determination that the departure may be incorporated into the works.
Aspect not covered by requirements	A design feature or method not included in the requirements and thus requiring a departure.
Assessment	The activities undertaken by the Designer to develop the technical justification and benefits, risks and impacts for a departure application and determine if the departure presents a net-benefit to National Highways-England .
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EEA State	A state within the European Economic Area, i.e. the European Union (EU) member states, Norway, Iceland or Liechtenstein.
Generic departure	A departure applied on a project scheme , programme, contract or area basis.
Incorporated	When a departure is incorporated into the completed works on site.
Interim document	A document that is published by National Highways-England as an alternative or supplement to the published

Linked departure	A departure that should be appraised alongside another where the combined non-compliant design represents a single safety case. Rejection of one linked departure means that other linked departures are also rejected.
Project	Any project, scheme or highway works undertaken which need to meet requirements outlined in Highways England's standards.
Project Manager	The Highways England Project Manager responsible for delivery.
Major Projects Directorate	The Highways England directorate responsible for undertaking major projects on the motorway and all-purpose trunk road network.
Operations Directorate	The Highways England directorate responsible for operating and maintaining the motorway and all-purpose trunk road network and conducting works that do not classify as a major project.
Provisional Agreement	May be given early in the project life cycle by a Technical Specialist for a departure that is critical to project success and, in principle, can be approved. A full application is always required before a departure may be incorporated in to the works. Provisional Agreement does not preclude later rejection.
Rejection	A determination that a departure may not be incorporated in the works.
Relaxation	A provision within a requirement to vary the normal requirements but which does not require a departure.
Requirement	Mandatory content of a standard.
Returned for rework	Where a departure application does not contain sufficient information for a technical specialist to make a recommendations or contains quality issues that mean it cannot be used as a defensible record, it is returned to the designer for rework.
Safety Engineering and Standards	The Highways England directorate responsible for setting policy and requirements for the motorway and all-purpose trunk road network and conducting the technical appraisal of departure applications.
Standard	A document that specifies requirements and advice for delivery of works as listed in the scope section. Note: This document relates to Highways England's in-house standards, alternatively referred to as "Requirements and Advice Documents".
Technical Assurance and Governance Group	The team responsible for provision of advice on, and ensuring consistency of, Highways England's requirements documents and administering the departures process.
Trunk Road Works	All works associated with Trunk Roads, including assessment, design, construction, operation, maintenance and demolition.

	standards. Includes Interim Advice Notes and Area Management Memoranda.
Linked departure	A departure that should be appraised alongside another where the combined non-compliant design represents a single safety case. Rejection of one linked departure means that other linked departures are also rejected.
Project Scheme	Any project, scheme or highway works undertaken which need to meet requirements outlined in National Highways-England's standards.
Project Manager	The National Highways England Project Manager responsible for delivery.
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Safety Engineering and Standards	The National Highways England directorate responsible for setting policy and requirements for the motorway and all-purpose trunk road network and conducting the technical appraisal of departure applications.
Standard	A document that specifies requirements and advice for delivery of works as listed in the scope section. Note: This document relates to Highways DMRB, England's MCHW in-house and standards aspects not covered , alternatively referred to as "Requirements and Advice Documents".
Technical Assurance and Governance Group	The team group responsible for provision of advice on, and ensuring consistency of, National Highways-England's requirements documents and administering the departures process.
Trunk Road Works	All works associated with Trunk Roads, including assessment, design, construction, operation, maintenance and demolition.

1. Scope			
Heading		Aspects covered	
	<i>New</i>	(1.2) NOTE	<i>Some of the above document sets have now been withdrawn, however they are retained above as they may still be in use within active schemes.</i>
1.2	An element that does not comply with requirements shall not be incorporated into works on the motorway and all-purpose trunk road network in England or other works undertaken by or on behalf of Highways England unless a departure has been approved in accordance with the processes defined in this document.	1.3	An element that does not comply with requirements shall not be incorporated into works on the motorway and all-purpose trunk road network in England or other works undertaken by or on behalf of National Highways England unless a departure has been approved in accordance with the processes defined in this document.
1.3	The processes described in this document shall be applied to derogation ("departure") from mandatory content ("requirements") in the following document sets: 1) the Design Manual for Roads and Bridges (DMRB); 2) the Manual of Contract Documents for Highways Works (MCHW); 3) the Asset Maintenance and Operational Requirements (AMOR); 4) the Network Management Manual (NMM); 5) the Routine and Winter Service Code (RSWC); 6) the Technology Management and Maintenance Manual (TMMM); 7) Area Management Memoranda (AMMs); and 8) Interim Advice Notes (IANs).	1.2	The processes described in this document shall be applied to derogation ("departure") from mandatory content ("requirements") in the following document sets: 1) the Design Manual for Roads and Bridges (DMRB); 2) the Manual of Contract Documents for Highways Works (MCHW); 3) the Asset Maintenance and Operational Requirements (AMOR); 4) the Network Management Manual (NMM); 5) the Routine and Winter Service Code (RSWC); 6) the Technology Management and Maintenance Manual (TMMM); 7) Area Management Memoranda (AMMs); and 8) Interim Advice Notes (IANs).
(1.3) NOTE 1	<i>The introduction section to document sets and individual documents provide implementation instructions. These help the designer interpret what content is mandatory and how to implement updated, revised or new requirements that are published during a project or scheme.</i>	(1.3) NOTE 1	<i>The introduction introductory section sections to document sets and individual documents provide implementation instructions. These help the designer interpret what content is mandatory and how to implement updated, revised or new requirements that are published during a project or scheme.</i>
(1.3) NOTE 4	<i>Specific guidance given for certain project or contract types are given in Guidance for Specific Circumstances (Section 9).</i>	(1.3) NOTE 4	<i>Specific guidance given for certain Section 9 project schemes or contract types are given in Guidance for Specific Circumstances (Section 9).</i>

<p>1.4</p> <p>A departure application shall be made in the following circumstances:</p> <ol style="list-style-type: none"> 1) a non-standard existing feature is to be retained; 2) due to the layout or other features of the site, a requirement cannot be satisfied; 3) a value engineering exercise has identified significant project or life cycle benefits can be achieved using a design that does not comply with requirements; 4) use of a novel technology or method for which there are no requirements; 5) an aspect not covered by requirements is identified, or; 6) a non-compliance with requirements is identified and cannot be rectified. 	<p>1.4</p> <p>A departure application shall be made in the following circumstances:</p> <ol style="list-style-type: none"> 1) a non-standard existing feature is to be retained; 2) due to the layout or other features of the site, a requirement cannot be satisfied; 3) a value engineering exercise has identified significant projectscheme or life cycle benefits can be achieved using a design that does not comply with requirements; 4) use of a novel technology or method for which there are no requirements; 5) an aspect not covered by requirements is identified, or; 6) a non-compliance with requirements is identified and cannot be rectified.
<p><i>New</i></p>	<p>1.4.1</p> <p><u>If the design organisation is unsure if a departure is required, the Technical Specialist should be consulted.</u></p>
<p>(1.5.1) NOTE</p> <p><i>The Departures Administration Team can respond to general process-related queries and the Specialist Submission Points can respond to discipline-specific queries.</i></p>	<p>(1.5.1) NOTE</p> <p><i>The Departures<u>DAS Administration</u>Admin Team<u>team</u> can respond to general process-related queries and the Specialist Submission Points can respond to discipline-specific queries.</i></p>
<p>1.6</p> <p>This document defines the permanent record of the full application, appraisal and determination for each departure application made that shall be maintained by Highways England.</p>	<p>1.6</p> <p>This document defines the permanent record of the full application, appraisal and determination for each departure application made that shall be maintained by <u>National</u> Highways England.</p>
<p>(1.6) NOTE 1</p> <p><i>Maintaining this record is mandatory under the Highways England protocol license agreement.</i></p>	<p>(1.6) NOTE 1</p> <p><i>Maintaining this record is mandatory under the <u>National</u> Highways England protocol license agreement.</i></p>

<p>(1.6) NOTE 2</p> <p><i>Highways England can be asked to demonstrate to persons within and outside Highways England that sufficient information was available to make an informed decision about any departure application, and those involved had considered all relevant factors. Such questions can be raised many years after the event, so thorough and accurate records are essential.</i></p>	<p>(1.6) NOTE 2</p> <p><i><u>National Highways</u> England can be asked to demonstrate to persons within and outside <u>National Highways</u> England that sufficient information was available to make an informed decision about any departure application, and those involved had considered all relevant factors. Such questions can be raised many years after the event, so thorough and accurate records are essential.</i></p>
<p>Heading Aspects not covered by requirements</p>	
<p>1.9</p> <p>Where it is found that an aspect of the works is not covered by any existing Highways England's requirements or advice documents, a departure application shall be submitted for an "Aspect not covered by requirements".</p>	<p>1.9</p> <p>Where it is found that an aspect of the works is not covered by any existing <u>National Highways</u> England's requirements or advice documents, a departure application shall be submitted for an "Aspect not covered by requirements".</p>
<p>Heading Incorporation of non-compliant works that do not have an approved departure application</p>	
<p>1.11</p> <p>The organisation that would have been responsible for submitting the necessary departure application shall either:</p> <ol style="list-style-type: none"> 1) Propose measures to address the non-compliance or; 2) Make a retrospective departure application. 	<p>1.11</p> <p>The organisation that would have been responsible for submitting the necessary departure application shall</p> <ol style="list-style-type: none"> 1) Propose measures to address the non-compliance or; 2) Make a retrospective departure application. <p><u>either: propose measures to address the non-compliance. Only once all other alternative options have been exhausted, an application for a retrospective departure may be submitted.</u></p>
<p>1.12</p> <p>Where a departure is applied for retrospectively, the normal departures application and appraisal process shall apply.</p>	<p>1.12</p> <p>Where <u>When submitting a retrospective departure is the applied design for organisation retrospectively, shall the provide normal proof departures of application all and alternative appraisal options process considered shall as apply reviewed with the NH Project Manager.</u></p>
<p><i>New</i></p>	<p>1.13</p> <p><u>Where a departure is applied for retrospectively, the normal departures application and appraisal process shall apply.</u></p>

(1.12) NOTE	A retrospective departure application can be rejected even if the works have been completed, in which case Highways England can require the contractor to rectify the works at their own cost.	(1.13) NOTE	A retrospective departure application can be rejected even if the works have been completed, in which case <u>National Highways</u> England can require the contractor <u>constructor</u> to rectify the works at their own cost.
Heading Mutual recognition			
(1.15) NOTE	Highways England can undertake project level appraisal of such proposals and reject them if it is demonstrated that an equivalent level of performance and safety is not provided.	(1.16) NOTE	<u>National Highways</u> England can undertake project <u>scheme</u> level appraisal of such proposals and reject them if it is demonstrated that an equivalent level of performance and safety is not provided.
Heading Traffic signs and road markings			
1.16	Authorisation of traffic signs (including road markings) that are not prescribed in the Traffic Signs Regulations and General Directions (SI 2016 No.362 (TSRGD) 2016 [Ref 17.]) as amended is a separate statutory process, therefore a departure shall not be used for authorisation of non-prescribed traffic signs.	1.17	Authorisation SI 2016 No.362 (TSRGD) 2016 [Ref 17.] as amended is a separate statutory process, therefore a departure shall not be used for authorisation of non-prescribed traffic signs. <u>All of traffic signs, (including road markings) that and are road not studs, prescribed must in comply with the Traffic Signs Regulations and General Directions Direction 2016 (TSRGD) or be authorised by the Secretary of State. Statutory and mandatory requirements are specified in MCHW Series 1200.</u>
	New	1.18	<u>The departures process shall not be used to seek authorisation of any traffic sign which is not prescribed by the TSRGD.</u>
	New	1.19	<u>Any request for a non-prescribed traffic sign shall first be made to the SES Safer Roads Design team (sestrafficsigns@nationalhighways.co.uk) for initial review and discussion.</u>

New	(1.19) NOTE 1	<u>The Safer Roads Design team will follow the Department for Transport's non-prescribed traffic sign authorisation process for all such requests.</u>
New	(1.19) NOTE 2	<u>Further information on the process for non-prescribed traffic signs, including the typical time frames for the review of applications, is available from the Safer Roads Design team.</u>
2. Roles		
Heading Design Organisation		
Sub Heading Designer		
New	(2.3) NOTE	<u>Please note that it is prudent for the design organisation to keep track of the progress of the departure when with the PM in the DAS workflow to ensure that their actions are completed.</u>
New	2.4	<u>If the Designer is intending to request Provisional Agreement then they shall contact either the National Highways Project Manager or DAS Admin team in order to be assigned a Technical Specialist whom they can engage with.</u>
Heading Major Projects and Operations Directorate		
Sub Heading Project Manager		

2.6.1	The Project Manager role may be undertaken by a project's Project Manager, Project Sponsor or a delegate, as agreed on a project basis.	2.7.1	The Project Manager role may be undertaken by a project's <u>projectscheme's</u> Project Manager, Project Sponsor or a delegate, as agreed on a project <u>projectscheme</u> basis.
(2.6.2) NOTE	<i>Following successful use within the Structures discipline, this mechanism has been introduced across all disciplines as a means of streamlining the approvals process.</i>		<i>Following successful use within the Structures discipline, this mechanism has been introduced across all disciplines as a means of streamlining the approvals process.</i>
2.7	The Project Manager shall record whether a departure has been incorporated into the works following completion of the project.	2.8	The Project Manager shall record whether a departure has been incorporated into the works following <u>as completion part of the project</u> post-determination .
2.8	For departures that are Approved with Conditions, the Project Manager shall seek assurances and record that these conditions have been met.	2.9	For departures that are Approved with Conditions, the Project Manager shall seek assurances and record that these conditions have been met <u>as part of post-determination</u> .
	<i>New</i>	(2.9) NOTE	<u><i>Further detail on post-determination can be found in Section 6.</i></u>
2.9	For works not promoted by Highways England, the Project Manager shall be the representative that interfaces with the project and is responsible for technical assurance. This is usually a member of the Operations Directorate.	2.10	For works not promoted by <u>National</u> Highways England , the Project Manager shall be the representative that interfaces with the <u>projectscheme</u> and is responsible for technical assurance. This is usually a member of the Operations Directorate.
Heading Safety, Engineering and Standards			
Sub Heading	<u>Departures Administration Team</u>	Sub Heading	<u>Departures</u><u>DAS Administration</u><u>Admin Team</u><u>team</u>
2.10	The Departures Administration Team shall provide assurance tools and resources to support the implementation of the departures process.	2.11	The Departures <u>DAS Administration</u> Admin Team <u>team</u> shall provide assurance tools and resources to support the implementation of the departures process.
(2.10) NOTE	<i>The Departures Administration Team is the system owner for DAS and can provide advice on process or software related queries.</i>	(2.11) NOTE	<i>The Departures <u>DAS Administration</u> Admin Team <u>team</u> is the system owner for DAS and can provide advice on process or <u>DAS</u> software <u>usage</u> related queries.</i>

Sub Heading Specialist Submission Point (SSP)	
(2.11) NOTE 2 <i>The Departures Administration Team maintain a list of Specialist Submission Points and can advise on the correct contact for a given departure if early engagement is desired.</i>	(2.12) NOTE 2 <i>The Departures<u>DAS Administration</u>Admin Team<u>team</u> maintain a list of Specialist Submission Points and can advise on the correct contact for a given departure if early engagement is desired.</i>
Sub Heading Technical Specialist	
2.13.1 Where a departure is particularly contentious or novel, the Technical Specialist may engage formally or informally with the Designer to support their understanding of the evidence or justification needs to support the departure application, or provide a provisional agreement to help manage project risks.	2.14.1 Where a departure is particularly contentious or novel, the Technical Specialist may engage formally or informally with the Designer to support their understanding of the evidence or justification needs to support the departure application, or provide a provisional agreement to help manage project <u>scheme</u> risks.
<i>New</i>	2.14.2 <u>The Technical Specialist may also be assigned as the Authorising Signatory in DAS.</u>
(2.13.1) NOTE 2 <i>The Technical Specialist may also be assigned as the Authorising Signatory in DAS.</i>	<i>The Technical Specialist may also be assigned as the Authorising Signatory in DAS.</i>
<i>New</i>	Sub Heading <u>Additional Technical Reviewer</u>
<i>New</i>	2.15 <u>The Additional Technical Reviewer(s) shall provide additional technical opinion on the submission as subject matter experts.</u>
<i>New</i>	2.15.1 <u>The Additional Technical Reviewer(s) may be nominated and input by the Specialist Submission Point, Technical Specialist or Authorising Signatory.</u>

Sub Heading **Authorising Signatory**

New	2.16.1 <u>The Authorising Signatory may also be assigned as the Technical Specialist in DAS.</u>
(2.14) NOTE 2 <i>The Authorising Signatory may also be assigned as the Technical Specialist in DAS.</i>	The Authorising Signatory may also be assigned as the Technical Specialist in DAS.

3. Process overview

Heading General

3.1 The process for handling departures outlined in Table 3.1 and Figure 3.1a and 3.1b shall be followed.

Table 3.1 Intent of the phases of the departure process

Phase	Intent
1 - Identification	Departure is identified and recorded early in the project life cycle to support project risk management and resource planning.
2 - Early development	Departure is given an early assessment to better understand its criticality to the project and acceptability to the business. Supports project risk management. Designer and Project Manager agree if provisional agreement will be sought as part of risk management approach.
3 - Application preparation	Departure is fully assessed for benefits, risks and impacts across the asset life cycle and to record a full technical justification. Robust guidance on the content of departure applications and liaison between the Designer and Technical Specialist mitigates over- or under-developed applications that result in wasted effort by all parties. The Proposer reviews the application to ensure that the application is error free and fully justified. The Project Manager reviews and supports the application.
4 - Administrative check	Departure is checked to avoid incomplete applications being passed to a Technical Specialist for appraisal.
5 - Allocate Technical Specialist	An appropriate Technical Specialist is identified by the SSP to conduct the appraisal. To promote continuity, this should be the same person who has been engaged in phases 2 and 3. Based on the complexity of the departure an appropriate Authorising Signatory is identified by the SSP to authorise the recommendation in phase 7.
6 - Technical Appraisal	The application is appraised to confirm it presents: 1) a justification demonstrating that the proposal is technically robust, addresses the needs of stakeholders and includes appropriate monitoring post-implementation; and 2) a benefits, impacts and risks assessment that demonstrates that the benefits outweigh the dis-benefits and that impacts and risks have been mitigated. A recommendation is made to the Project Manager as to what the determination should be.
7 - Determination	The Project Manager determines the outcome of application and informs the Designer whether it is: 1) approved; 2) approved with conditions; or, 3) rejected.
8 - Post-Determination	The Project Manager records whether the departure is incorporated into the project or not.

3.1 The process for handling departures outlined in ~~Table 3.1 and Figure 3.1a and 3.1b shall be followed.~~ Table 3.1 and Figure 3.1a and 3.1b shall be followed.

Table 3.1 Intent of the phases of the departure process

Phase	Intent
1 - Identification	Departure is identified and recorded early in the <u>project</u> scheme life cycle to support <u>project</u> scheme risk management and resource planning.
2 - Early development	Departure is given an early assessment to better understand its criticality to the <u>project</u> scheme and acceptability to the business. Supports <u>project</u> scheme risk management. Designer and Project Manager agree if provisional agreement will be sought as part of risk management approach.
3 - Application preparation	Departure is fully assessed for benefits, risks and impacts across the asset life cycle and to record a full technical justification. Robust guidance on the content of departure applications and liaison between the Designer and Technical Specialist mitigates over- or under-developed applications that result in wasted effort by all parties. The Proposer reviews the application to ensure that the application is error free and fully justified. The Project Manager reviews and supports the application.
4 - Administrative check	Departure is checked to avoid incomplete applications being passed to a Technical Specialist for appraisal.
5 - Allocate Technical Specialist	An appropriate Technical Specialist is identified by the SSP to conduct the appraisal. To promote continuity, this should be the same person who has been engaged in phases 2 and 3. Based on the complexity of the departure an appropriate Authorising Signatory is identified by the SSP to authorise the recommendation in phase 7.
6 - Technical Appraisal	The application is appraised to confirm it presents: 1) a justification demonstrating that the proposal is technically robust, addresses the needs of stakeholders and includes appropriate monitoring post-implementation <u>when required</u> ; and 2) a benefits, impacts and risks assessment that demonstrates that the benefits outweigh the dis-benefits and that impacts and risks have been mitigated. A recommendation is made <u>by the Authorising Signatory</u> to the Project Manager as to what the determination should be.
7 - Determination	The Project Manager determines the outcome of <u>the</u> application and informs the Designer whether it is: 1) approved; 2) approved with conditions; or, 3) rejected.

For departures that are Approved with Conditions, the Project Manager shall seek assurances and record that these conditions have been met.

Figure 3.1a Overview of departures process phase 1 - 3

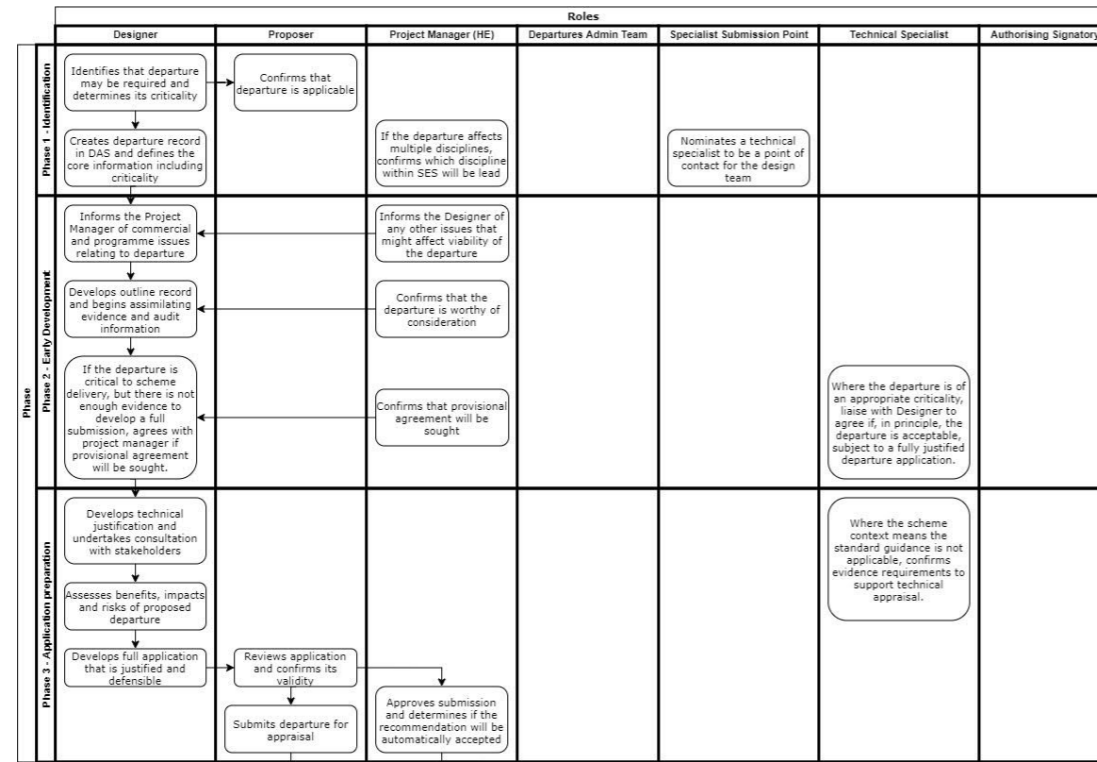
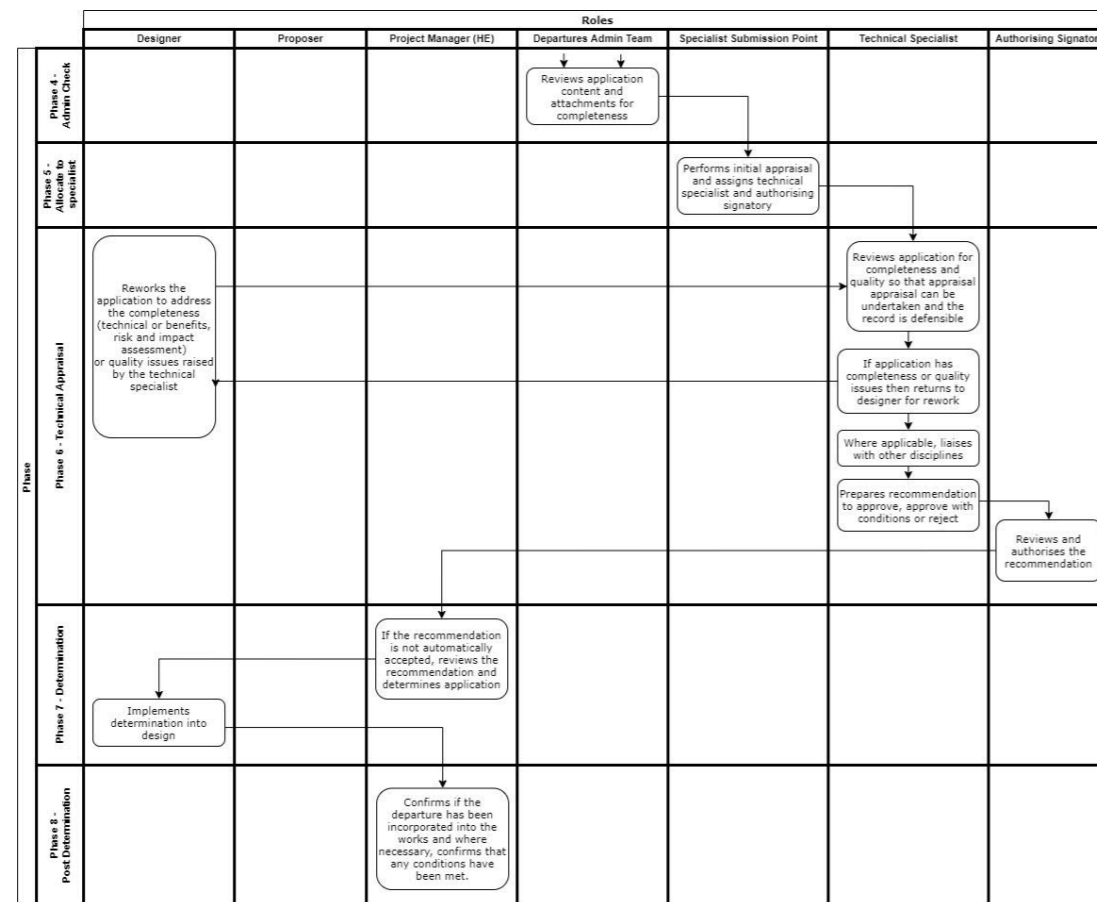


Figure 3.1b Overview of departures process phase 4 - 8



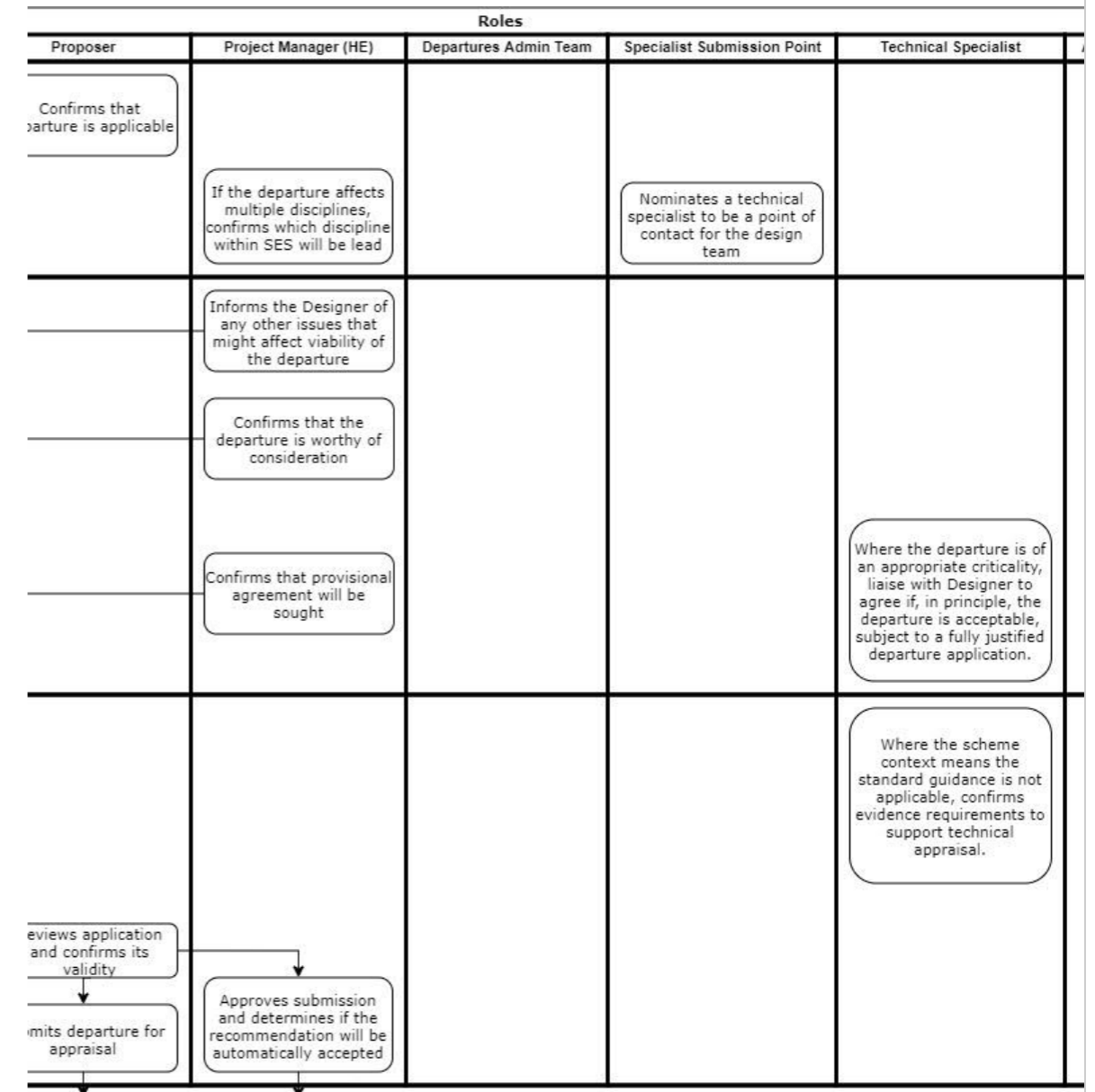
8 - Post-Determination

The Project Manager records whether the departure ~~is~~ has been incorporated into the ~~projects~~ scheme or not.

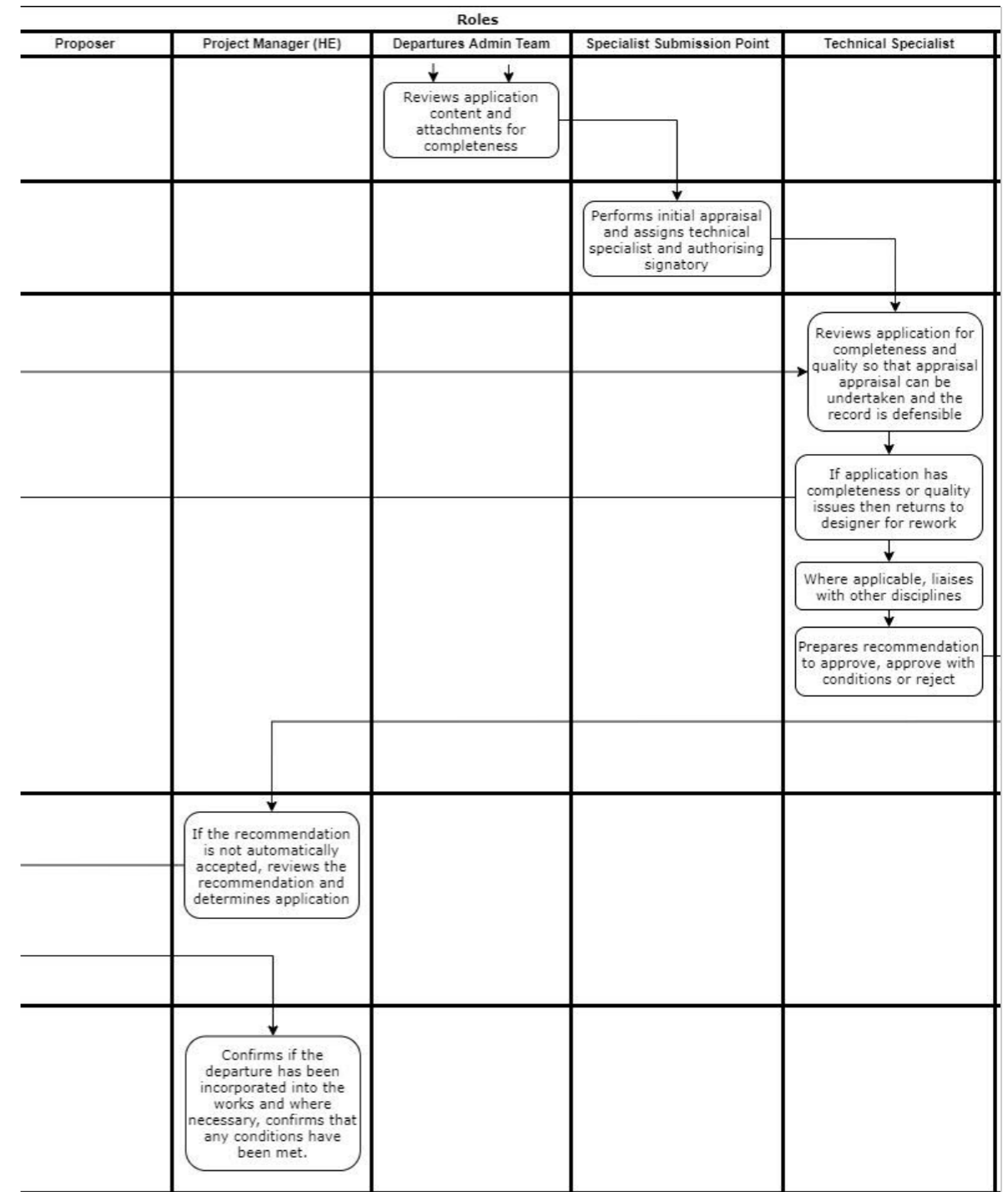
For departures that ~~are~~ were Approved with Conditions, the Project Manager shall seek assurances and record that these conditions have been met.

The Project Manager also records the realised cost benefit and updates the confidential status of the departure.

ures process phase 1 - 3



ures process phase 4 - 8



<p><i>New</i></p>	<p>(3.1) NOTE</p> <p><i>Please note that it is prudent for the design organisation to keep track of the progress of the departure when with the PM in the DAS workflow to ensure that their actions are completed.</i></p>
<p>3.1.1 In the event that the Designer no longer requires a departure as part of the design, the Proposer may withdraw the application at any time before Phase 7.</p>	<p>3.1.1 In the event that the Designer no longer requires a departure as part of the design, the <u>Designer (or Proposer)</u> may withdraw the application at any time before Phase 7.</p>
<p>Heading Phase 1 – Identification</p>	
<p>3.2 The need for a departure shall be identified as early as possible in the project life cycle.</p>	<p>3.2 The need for a departure shall be identified as early as possible in the <u>project</u>project<u>scheme</u> life cycle.</p>
<p>3.2.1 If the Designer is unfamiliar with applying for departures, before proceeding further a Proposer who does have relevant experience should be consulted to confirm that a departure would be required and offers value.</p>	<p>3.2.1 If the Designer is unfamiliar with applying for departures, before proceeding further, a Proposer who does have relevant experience should be consulted to confirm that a departure would be required and offers value.</p>

3.3 Once a departure has been identified it shall be categorised into one of the following departure criticality categories given in Table 3.3.

Table 3.3 Departure criticality categories

Category	Description
5	Departures that are fundamental to the viability of the project.
4	Departures that are fundamental to the selection of options for the project.
3	Departures that are fundamental to the delivery of commitments made through consultation or statutory procedures
2	Departures that are not fundamental, but have impact on other disciplines or suppliers during detailed design and can be managed through value engineering during detailed design
1	Departures that are not fundamental and do not have impact on other disciplines or suppliers and can be managed through value engineering during detailed design
0	Departures that relate to non-compliant features incorporated into the works that do not have an approved departure application

(3.3) NOTE 1 *Critical departures can represent a significant risk to the viability of a project. A principal outcome of the departures process is to mitigate the risk of a project progressing on the assumption that a critical departure is acceptable without verifying this with stakeholders, especially SES technical specialists.*

(3.3) NOTE 2 *Examples of highly critical departures include:*
 1) *Departures that effect the project extents ("red line boundary").*
 2) *Use of a more cost effective method or material that upon which a business case or funding allocation is based.*
 3) *Commitments made in a ministerial announcement that rely on approval of a departure.*

3.5 Once identified, the Designer or Proposer shall create a record within DAS including:
 1) Key project information (road, area, current project stage, key dates, Project Manager and a description);
 2) A summary of the nature of the departure;
 3) The discipline to which the departure relates;
 4) An estimated submission date for the departure application; and
 5) Contact information for the Designer.

3.3 Once a departure has been identified it shall be categorised into one of the following departure criticality categories given in ~~Table 3.3.~~Table 3.3.

Table 3.3 Departure criticality categories

Category	Description
5	Departures that are fundamental to the viability of the <u>projectscheme</u> .
4	Departures that are fundamental to the selection of options for the <u>projectscheme</u> .
3	Departures that are fundamental to the delivery of commitments made through consultation or statutory procedures
2	Departures that are not fundamental, but have impact on other disciplines or suppliers during detailed design and can be managed through value engineering during detailed design
1	Departures that are not fundamental and do not have impact on other disciplines or suppliers and can be managed through value engineering during detailed design
0	Departures that relate to non-compliant features incorporated into the works that do not have an approved departure application

(3.3) NOTE 1 *Critical departures can represent a significant risk to the viability of a projectscheme. A principal outcome of the departures process is to mitigate the risk of a projectscheme progressing on the assumption that a critical departure is acceptable without verifying this with stakeholders, especially SES technical specialists.*

(3.3) NOTE 2 *Examples of highly critical departures include:*
 1) *Departures that effect the projectscheme extents ("red line boundary").*
 2) *Use of a more cost effective method or material that upon which a business case or funding allocation is based.*
 3) *Commitments made in a ministerial announcement that rely on approval of a departure.*

3.5 Once identified, the Designer or Proposer shall create a record within DAS including:
 1) Key projectscheme information (~~road, Design area, organisation, current project stage, PIN, key dates,~~ Project Manager and a description);
 2) The standard and discipline to which the departure relates;
 3) A summary of the nature of the departure; and
 4) ~~An estimated submission date for the departure application; and~~
 5) ~~Contact information for the Designer.~~
 6) The discipline location(s) to that which the departure relates; to.

3.7	The lead Safety Engineering and Standards team shall confirm the Specialist Submission Point.	3.7	The lead DAS SafetyAdmin Engineering and Standards team shall confirm the Specialist Submission Point.
Heading Phase 2 – Early development			
3.10.1	The level of detail should be proportionate to the information available at the stage in the project life cycle.	3.10.1	The level of detail should be proportionate to the information available at the stage in the project scheme life cycle.
3.12	The Designer and Project Manager shall agree if provisional agreement for the departure will be sought from the relevant Safety Engineering and Standards team based on the criticality of the departure to the project.	3.12	The Designer and Project Manager shall agree if provisional agreement for the departure will be sought from the relevant Safety Engineering and Standards team based on the criticality of the departure to the project scheme .
(3.12) NOTE	<i>Further detail on provisional agreement is given in Section 4.</i>	(3.12) NOTE	<i>Further detail on provisional agreement is given in Section 4Section 4.</i>
3.13.2	In determining whether provisional agreement will be granted, the Technical Specialist should take into account the constraints in gathering evidence at the project stage and consider if there are any issues with the fundamental principles of a departure.	3.13.2	In determining whether provisional agreement will be granted, the Technical Specialist should take into account the constraints in gathering evidence at the project scheme stage and consider if there are any issues with the fundamental principles of a departure.
Heading Phase 3 – Departure application preparation			
Sub Heading <u>Designer's assessment</u>			
(3.15) NOTE	<i>Further detail on assessment is given in Section 5.</i>	(3.15) NOTE	<i>Further detail on assessment is given in Section 5Section 5.</i>

(3.16) NOTE	Section 5 gives guidance on the evidence and consultations required to be included as part of a departure application and Appendix C gives additional guidance by discipline.	(3.16) NOTE	Section 5 gives guidance on the evidence and consultations required to be included as part of a departure application and Appendix C gives additional guidance by discipline. <u>Section 5 gives guidance on the evidence and consultations required to be included as part of a departure application. Additional guidance by discipline is also provided within the DAS submission template and within the DAS Help pages (https://das-help.highwaysengland.co.uk).</u>
Sub Heading Application preparation			
3.22	Highways England staff shall not compile part or all of a departure application on behalf of a Designer.	3.22	Highways England staff shall not compile part or all of a departure application on behalf of a Designer. <u>Individuals involved in the management and appraisal of a departure application shall not undertake the role of a Designer or proposer.</u>
3.22.1	Where the Design Organisation is not a member of the Highways England supply chain and is not experienced in preparing departure applications, advice may be sought from Safety Engineering and Standards on the required level of information to support the application.	3.22.1	Where the Design Organisation is not a member of the Highways England <u>National</u> Highways supply chain and is not experienced in preparing departure applications, advice may be sought from Safety Engineering and Standards on the required level of information to support the application.
Sub Heading Project Manager review			
	New	3.24	<u>The Project Manager shall liaise with the Operations Liaison Officer (OD Senior User) in accordance with the Departure Manual (i.e. paragraphs 3.11 (2), 5.9, 5.9.1 (6), 5.9.3, 5.10, 5.32 to 5.32.1 inclusive and 6.8) before the Departure is supported by the Project Manager.</u>
(3.23.2) NOTE	Further detail on the Project Manager Review is given in Section 6.	(3.24) NOTE	Further detail on the Project Manager Review is given in Section 6. <u>Section 6.</u>
Heading	Phase 4 - Departures Administration Team Check	Heading	Phase 4 - Departures <u>DAS Administration Admin Team</u> Check
3.25	Prior to passing the departure to the Specialist Submission Point, the Departures Administration Team shall review the application for completeness and for the attachments listed in Appendices B and C.	3.26	Prior to passing the departure to the Specialist Submission Point, the Departures <u>DAS Administration Admin Team</u> shall review the application for completeness and for required the discipline attachments specific listed evidence in Appendices B and C.
	New	(3.26) NOTE	<u>Guidance on the required discipline specific evidence is provided within the DAS submission template and within the DAS Help pages (https://das-help.highwaysengland.co.uk).</u>
(3.26) NOTE	The Departures Administration Team review does not include any form of quality or technical review.	(3.27) NOTE	The Departures <u>DAS Administration Admin Team</u> review does not include any form of quality or technical review.
Heading Phase 6 – Technical appraisal			
(3.29) NOTE	Further detail on the technical appraisal is given in Section 7.	(3.30) NOTE	Further detail on the technical appraisal is given in Section 7. <u>Section 7.</u>

3.30	Any departure application that does not contain all the evidence requirements described in this manual and/or agreed in Phase 3, or contains errors, shall be returned to the Designer for rework.	3.31	Any departure application that does not contain all the evidence <u>required requirements discipline described specific in evidence this manual</u> and/or <u>evidence as</u> agreed in Phase 3, or contains errors, shall be returned to the Designer for rework.
	<i>New</i>	(3.31) NOTE 1	<u>Guidance on the required discipline specific evidence is provided within the DAS submission template and within the DAS Help pages (https://das-help.highwaysengland.co.uk).</u>
(3.30) NOTE	<i>In DAS "rework required" has replaced rejection for departures that cannot be appraised due to quality or completeness issues. In this leaner process, revisions will not need Project Manager approval to re-submit and any time limits for each phase will be reset.</i>	(3.31) NOTE 2	<i>In DAS, "rework required" has replaced rejection for departures that cannot be appraised due to quality or completeness issues. In this leaner process, revisions will not need Project Manager approval to re-submit and any time limits for each phase will be reset.</i>
(3.32) NOTE	<i>Further detail on the Authorising Signatory's review is given in Section 7.</i>	(3.33) NOTE	<i>Further detail on the Authorising Signatory's review is given in Section 7.<u>Section 7.</u></i>
Heading Phase 7 – Determination			
(3.35) NOTE	<i>Further detail on the determination of the departure application is given in Section 6.</i>	(3.36) NOTE	<i>Further detail on the determination of the departure application is given in Section 6.<u>Section 6.</u></i>
3.36	The approval of a departure application, with or without conditions, shall not imply that Highways England relieves the Designer of any responsibility for the design.	3.37	The approval of a departure application, with or without conditions, shall not imply that <u>National</u> Highways England relieves the Designer of any responsibility for the design.
3.37	The Designer shall comply with Highways England's decision and any conditions.	3.38	The Designer shall comply with <u>National</u> Highways England's decision and any conditions.
Heading Phase 8 - Post-Determination			
(3.40) NOTE	<i>Rejected departures are automatically recorded as 'not incorporated'.</i>	(3.41) NOTE	Rejected departures are automatically recorded as 'not incorporated'. <u>Rejected departures are automatically recorded as 'not incorporated'.</u>
Heading Validity of departure applications post-determination			

<p><i>New</i></p>	<p>Sub Heading <u>When departure applications become invalid</u></p>
<p>3.46 Approved departure applications not yet incorporated into the works shall become invalid in the following situations:</p> <ol style="list-style-type: none"> 1) where superseding requirements are implemented in the intervening period; 2) where progression through the design process results in a change to the previously proposed departure which generates additional risk; 3) if a material change in a project design parameter generates additional risk; 4) where research or legislation affects the basis on which the departure application was approved; and 5) if the Designer or Project Manager considers that a change in any other factor may affect the previous approval. 	<p>3.47 Approved departure applications not yet incorporated into the works shall become invalid in the following situations:</p> <ol style="list-style-type: none"> 1) where superseding requirements, <u>agreed to be adopted by the scheme,</u> are implemented in the intervening period; 2) where progression through the design process results in a change to the previously proposed departure which generates additional risk; 3) if a material change in a <u>projectscheme</u> design parameter generates additional risk; 4) where research or legislation affects the basis on which the departure application was approved; and 5) if the Designer or Project Manager considers that a change in any other factor may affect the previous approval.
<p><i>New</i></p>	<p>(3.47) NOTE <u><i>If it has been agreed by the scheme to adopt a newer version of a standard; a departure that has been determined as “Approved” or “Approved with conditions” remains valid when the outcome of the requirement departed from remains the same.</i></u></p>

<i>New</i>	Sub Heading <u>Consequences of the departure applications becoming invalid</u>
<i>New</i>	3.48 <u>An invalid departure shall not be incorporated into the scheme.</u>
<i>New</i>	Sub Heading <u>Managing validity of departure applications</u>

<p>New</p>	<p>3.49 <u>Each approved departure shall be reviewed by the Designer at each subsequent scheme stage gate to assess its validity.</u></p>
<p>3.47 If the departure is to be 'incorporated' into the works after the departure application approval has been invalidated, then the departure shall be marked as 'not incorporated' by the Project Manager and a new application shall be submitted by the Designer.</p>	<p>3.50 If the an departure approved is to be 'incorporated' into the works after the departure application becomes approval invalidated has been invalidated, then the departure application shall be marked as 'not incorporated' <u>within DAS</u> by the Project Manager and a new application shall be submitted by the Designer.</p>
<p>3.48 Each approved departure shall be reviewed by the Designer at each subsequent project stage gate to assess its validity.</p>	<p>Each approved departure shall be reviewed by the Designer at each subsequent project stage gate to assess its validity.</p>
<p>New</p>	<p>3.50.1 <u>The new departure should address all changes that resulted in the original departure becoming invalid.</u></p>
<p>4. Timely handling of departures</p>	
<p>Heading Timely handing and project risk</p>	<p>Heading Timely handinghandling and projectscheme risk</p>

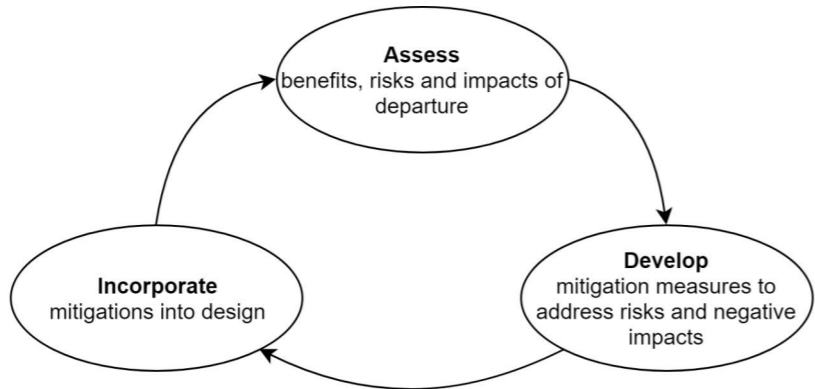
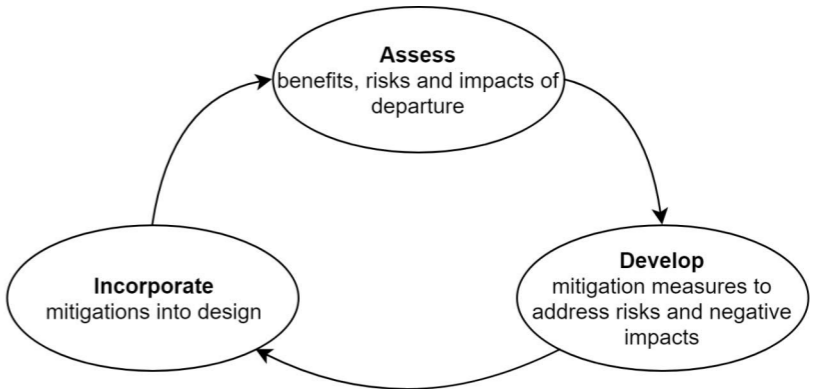
<p>4.1 Risk management must be undertaken throughout a project that impacts the spending of public money MPM [Ref 5.N] .</p>	<p>4.1 Risk management must be undertaken throughout a projectscheme that impacts the spending of public money MPM [Ref 5.N] .</p>
<p>(4.1.1) NOTE 1 <i>Departures can be used to derive significant benefits in cost, delivery or outcomes and decisions are often taken at early project stages that depend on a departure being approved later in the project life cycle. The rejection of a critical departure at a late project stage can require significant re-engineering that results in delays, increased costs and higher environmental impact. Therefore, critical departures can present a key project risk to be managed early in the project life cycle.</i></p>	<p>(4.1.1) NOTE 1 <i>Departures can be used to derive significant benefits in cost, delivery or outcomes and decisions are often taken at early projectscheme stages that depend on a departure being approved later in the projectscheme life cycle. The rejection of a critical departure at a late projectscheme stage can require significant re-engineering that results in delays, increased costs and higher environmental impact. Therefore, critical departures can present a key projectscheme risk to be managed early in the projectscheme life cycle.</i></p>
<p>(4.1.1) NOTE 2 <i>Projects can also have departures that do not impact the deliverability or outcomes of a project. Such departures do not present a key project risk and handling can therefore be deferred to a detailed design stage. However, every departure can become critical to the on-time delivery of a detailed design, therefore a timely approach to handling all types of departures is necessary.</i></p>	<p>(4.1.1) NOTE 2 <i>ProjectsSchemes can also have departures that do not impact the deliverability or outcomes of a projectscheme. Such departures do not present a key projectscheme risk and handling can therefore be deferred to a detailed design stage. However, every departure can become critical to the on-time delivery of a detailed design, therefore a timely approach to handling all types of departures is necessary.</i></p>
<p>(4.1.1) NOTE 3 <i>The detail required to justify a critical departure is often not available to support a full application at early project stages, therefore a "provisional agreement" mechanism has been introduced to reduce the risk of departures being rejected on technical grounds.</i></p>	<p>(4.1.1) NOTE 3 <i>The detail required to justify a critical departure is often not available to support a full application at early projectscheme stages, therefore a "provisional agreement" mechanism has been introduced to reduce the risk of departures being rejected on technical grounds.</i></p>
<p>Heading De-risking projects through timely handling of departures</p>	<p>Heading De-risking projectschemes through timely handling of departures</p>
<p>4.2 At the beginning and end of each project stage (the "stage boundary"), the Designer and Proposer shall: 1) Identify any new departures that do not have a record in DAS;</p>	<p>4.2 At the beginning and end of each projectscheme stage (the "stage boundary"), the Designer and Proposer shall: 1) Identify any new departures that do not have a record in DAS;</p>

- 2) Review any previously identified departures to confirm a departure application is still required and withdraw those that are not;
- 3) Confirm the criticality category for each identified departure (specified in Section 3);
- 4) Determine whether each identified departure requires a provisional agreement;
- 5) Confirm the development strategy for each identified departure, including
 - a) specifying when the departure application will be developed and submitted, and
 - b) identifying any tasks that need to be undertaken to facilitate the development of the departure and when these will be undertaken; and,
- 6) Communicate the outcome of this exercise with the Project Manager.

- 2) Review any previously identified departures to confirm a departure application is still required and withdraw those that are not;
- 3) Confirm the criticality category for each identified departure (specified in Section 3);
- 4) Determine whether each identified departure requires a provisional agreement;
- 5) Confirm the development strategy for each identified departure, including
 - a) specifying when the departure application will be developed and submitted, and
 - b) identifying any tasks that need to be undertaken to facilitate the development of the departure and when these will be undertaken; and,
- 6) Communicate the outcome of this exercise with the Project Manager.

<p>4.3 The development strategy for each departure shall be assessed on an individual departure basis such that the associated risk is managed to an acceptable level for the project stage.</p>	<p>4.3 The development strategy for each departure shall be assessed on an individual departure basis such that the associated risk is managed to an acceptable level for the projectscheme stage.</p>
<p>(4.3.1) NOTE <i>Effective planning for the preparation and submission of departure applications through categorisation can remove departures from the project's critical path, allowing collection of evidence and undertaking of consultations in parallel with design development. This has the benefit of reducing project risk and potential duplicated effort.</i></p>	<p>(4.3.1) NOTE <i>Effective planning for the preparation and submission of departure applications through categorisation can remove departures from the projectscheme's critical path, allowing collection of evidence and undertaking of consultations in parallel with design development. This has the benefit of reducing projectscheme risk and potential duplicated effort.</i></p>
<p>4.3.3 The planned submission date for the departure application should account for the time required for technical appraisal so that the outcome of the determination can be incorporated within the constraints of the project programme.</p>	<p>4.3.3 The planned submission date for the departure application should account for the time required for technical appraisal so that the outcome of the determination can be incorporated within the constraints of the projectscheme programme.</p>
<p>Heading Provisional agreement</p>	

<p>4.4 The Designer and Project Manager shall determine if provisional agreement will be sought as part of risk management for critical departures at early project stages.</p>	<p>4.4 The Designer and Project Manager shall determine if provisional agreement will be sought as part of risk management for critical departures at early project<u>scheme</u> stages.</p>
<p>(4.4) NOTE 1 <i>Provisional agreement allows the Designer to work with the Technical Specialist to establish if, in principle and later supported by a full technical justification and benefits case, the proposed departure is acceptable. The intent is not to assess the benefits, risks and impacts of a proposed departure at this stage, but to reduce the risk of projects proceeding on an untested assumption that a departure can be approved.</i></p>	<p>(4.4) NOTE 1 <i>Provisional agreement allows the Designer to work with the Technical Specialist to establish if, in principle and later supported by a full technical justification and benefits case, the proposed departure is acceptable. The intent is not to assess the benefits, risks and impacts of a proposed departure at this stage, but to reduce the risk of project<u>schemes</u> proceeding on an untested assumption that a departure can be approved.</i></p>
<p>(4.4) NOTE 2 <i>Provisional agreement is an appropriate mechanism for departures at an early stage of the project life cycle that are critical for project delivery and for exploring the use of innovative methods, products or materials.</i></p>	<p>(4.4) NOTE 2 <i>Provisional agreement is an appropriate mechanism for departures at an early stage of the project<u>scheme</u> life cycle that are critical for project<u>scheme</u> delivery and for exploring the use of innovative methods, products or materials.</i></p>
<p>4.4.1 "Managed" in Figure 4.3.1 indicates at what stage provisional agreement should be sought for departures with a criticality category of 3 - 5.</p>	<p>4.4.1 "Managed" in Figure 4.3.1 indicates at what stage provisional agreement should be sought for departures with a criticality category of 3 - 5. <u>4.3.1 indicates at what stage provisional agreement should be sought for departures with a criticality category of 3 - 5.</u></p>
<p>(4.4.1) NOTE <i>If the project has reached the detailed design stage a full submission is likely to be more appropriate.</i></p>	<p>(4.4.1) NOTE <i>If the project<u>scheme</u> has reached the detailed design stage a full submission is likely to be more appropriate.</i></p>

<p>4.6.3 When allocating resources to develop an outline departure record to support a provisional agreement request, the Project Manager should ensure that a balance is maintained between:</p> <ol style="list-style-type: none"> 1) Preparing enough information so that the Technical Specialist can make an informed decision; 2) Limiting the amount of design work undertaken at an earlier stage than it would otherwise be done, and; 3) Benefiting from the overall project risk reduction resulting from provisional agreement being given. 	<p>4.6.3 When allocating resources to develop an outline departure record to support a provisional agreement request, the Project Manager should ensure that a balance is maintained between:</p> <ol style="list-style-type: none"> 1) Preparing enough information so that the Technical Specialist can make an informed decision; 2) Limiting the amount of design work undertaken at an earlier stage than it would otherwise be done, and; 3) Benefiting from the overall projectscheme risk reduction resulting from provisional agreement being given.
<p>4.7 The Technical Specialist shall give provisional agreement using the functionality provided in DAS.</p>	<p>4.7 The Technical Specialist shall give record whether provisional agreement is given or not given using the functionality provided in DAS.</p>
<p>4.8 If provisional agreement is not to be given, the Technical Specialist shall inform the designer.</p>	<p>If provisional agreement is not to be given, the Technical Specialist shall inform the designer.</p>
<p>5. Preparing a departure application</p>	
<p>Heading Assessing a departure</p>	
<p>5.2 The Designer shall carry out a full assessment to identify the benefits, adverse impacts and risks associated with a proposed departure for the whole life of the project including during maintenance and demolition.</p>	<p>5.2 The Designer shall carry out a full assessment to identify the benefits, adverse impacts and risks associated with a proposed departure for the whole life of the projectscheme including during maintenance and demolition.</p>
<p>5.3 An iterative process of development shall be undertaken to refine the proposed departure as shown in Figure 5.3.</p> <p>Figure 5.3 Assessment and development process</p>  <pre> graph TD A([Assess benefits, risks and impacts of departure]) --> B([Develop mitigation measures to address risks and negative impacts]) B --> C([Incorporate mitigations into design]) C --> A </pre>	<p>5.3 An iterative process of development shall be undertaken to refine the proposed departure as shown in Figure 5.3.Figure 5.3.</p> <p>Figure 5.3 Assessment and development process</p>  <pre> graph TD A([Assess benefits, risks and impacts of departure]) --> B([Develop mitigation measures to address risks and negative impacts]) B --> C([Incorporate mitigations into design]) C --> A </pre>

<p>5.5 Benefits, Impacts and Risks shall be assessed under the following headings:</p> <ol style="list-style-type: none"> 1) Safety (Operation) – in accordance with GG 104 2018 [Ref ?.?] , consider all relevant safety risks to road users and other parties during operation of the road; 2) Safety (Construction, Maintenance and Disposal) – in accordance with GG 104 2018 [Ref ?.?] , consider all relevant safety risks to workers and the public during construction, maintenance and disposal; 3) Technical – consider all relevant technical issues; 4) Programme – consider any effects on the project's critical path; 5) Cost – consider any effects on the whole life cost of the project; 6) Environmental – consider all relevant environmental issues; 7) Innovation – consider the benefits for both the project and opportunity to standardise any innovative aspects along with any risks; 8) Durability / Maintenance – consider implications for future maintenance; and, 9) Network Availability – consider network availability implications during construction, maintenance and normal use. 	<p>5.5 Benefits, Impacts and Risks shall be assessed under the following headings:</p> <ol style="list-style-type: none"> 1) Safety (Operation) – in accordance with GG 104 2018 [Ref ?.?] , consider all relevant safety risks to road users and other parties during operation of the road; <u>GG 104 [Ref ?.?] consider all relevant safety risks to road users and other parties during operation of the road;</u> 2) Safety (Construction, Maintenance and Disposal) – in accordance with GG 104 2018 [Ref ?.?] , consider all relevant safety risks to workers and the public during construction, maintenance and disposal; <u>GG 104 [Ref ?.?] consider all relevant safety risks to workers and the public during construction, maintenance and disposal;</u> 3) Technical – consider all relevant technical issues; 4) Programme – consider any effects on the <u>project's scheme's</u> critical path; 5) Cost – consider any effects on the whole life cost of the <u>project's scheme;</u> 6) Environmental – consider all relevant environmental issues; 7) Innovation – consider the benefits for both the <u>project's scheme</u> and opportunity to standardise any innovative aspects along with any risks; 8) Durability / Maintenance – consider implications for future maintenance; and, 9) Network Availability – consider network availability implications during construction, maintenance and normal use.
<p>Sub Heading Stakeholders</p>	
<p>(5.9.1) NOTE <i>Section 9 gives additional guidance for interaction with local roads authorities and other infrastructure owners.</i></p>	<p>(5.9.1) NOTE Section 9 gives additional guidance for interaction with local roads authorities and other infrastructure owners. <u>9 gives additional guidance for interaction with local roads authorities and other infrastructure owners.</u></p>
<p>5.9.2 Stakeholders are likely to have limited capacity to participate in engagement activities, therefore the any request for engagement on a departure should be proportionate to the need and respectful of the stakeholder's circumstances.</p>	<p>5.9.2 Stakeholders are likely to have limited capacity to participate in engagement activities, therefore the any request for engagement on a departure should be proportionate to the need and respectful of the stakeholder's circumstances.</p>
<p><i>New</i></p>	<p>5.10 <u>Off line consultations between Project Manager and OD liaison officer shall be undertaken to; assess any long term maintenance issues, raise any suggestions to improve the proposal and to have an overall review of the submission. Evidence of this liaison should also be attached to DAS.</u></p>
<p>Sub Heading Safety</p>	
<p>5.11 The departure shall be treated as an activity in GG 104 2018 [Ref 8.N] and subject to the requirements of a Safety Risk Assessment.</p>	<p>5.12 The departure shall be treated as an activity in GG 104 2018 [Ref 8.N] and subject to the requirements of a Safety Risk Assessment. <u>GG 104 [Ref 8.N] and subject to the requirements of a Safety Risk Assessment.</u></p>

<p>5.12 The departure shall be categorised as Category A, B or C in accordance with GG 104 2018 [Ref 8.N] .</p>	<p>5.13 The departure shall be categorised as Category A, B or C in accordance with GG 104 2018 [Ref 8.N]. <u>GG 104 [Ref 8.N]</u>.</p>
<p>5.13 The categorisation of both the project and the departure shall be recorded in the application.</p>	<p>5.14 The categorisation of both the project<u>scheme</u> and the departure shall be recorded in the application.</p>
<p>(5.13) NOTE 1 <i>A Category C project can have Category A departures that do not present a safety risk that requires special attention. Whereas a Category C departure on a Category C project means that significant attention is required to manage the safety risks.</i></p>	<p>(5.14) NOTE 1 <i>A Category C project<u>scheme</u> can have Category A departures that do not present a safety risk that requires special attention. Whereas a Category C departure on a Category C project<u>scheme</u> means that significant attention is required to manage the safety risks.</i></p>
<p>(5.13) NOTE 2 <i>Combining the criticality (0-5) with the safety risk category (A-C) can help project managers and designers determine when in the project life cycle a departure will be handled. Refer to Table 3.3 for further information on departure criticality.</i></p>	<p>(5.14) NOTE 2 <i>Combining the criticality (0-5) with the safety risk category (A-C) can help project managers and designers determine when in the project<u>scheme</u> life cycle a departure will be handled. Refer to Table 3.3 for further information on departure criticality.</i></p>

<p>5.14 The Safety Control Review Group already established for a Category B or C projects shall be used to endorse the safety risk assessment process for the departure.</p>	<p>5.15 The Safety Control Review Group already established for a Category B or C projects<u>schemes</u> shall be used to endorse the safety risk assessment process for the departure.</p>
<p>(5.14) NOTE <i>Departures on Category A projects do not require referral to a Safety Control Review Group.</i></p>	<p>(5.15) NOTE <i>Departures on Category A projects<u>schemes</u> do not require referral to a Safety Control Review Group.</i></p>
<p>Sub Heading Cost benefit</p>	
<p>5.26.1 The benefits may be attributable directly to Highways England or may be stated as benefits to the wider economy, other stakeholders, etc.</p>	<p>5.27.1 The benefits may be attributable directly to <u>National</u> Highways England or may be stated as benefits to the wider economy, other stakeholders, etc.</p>
<p>Sub Heading Innovation</p>	
<p>(5.30) NOTE <i>Highways England actively encourages innovation throughout all its activities.</i></p>	<p>(5.31) NOTE <i><u>National</u> Highways England actively encourages innovation throughout all its activities.</i></p>
<p>5.30.3 Where available, the assessment should reference relevant research results and/or examples of use in other projects, either in the UK or in other countries, along with any additional information that has the potential to reduce the perceived risk of the innovation (and hence increase the value).</p>	<p>5.31.3 Where available, the assessment should reference relevant research results and/or examples of use in other projects<u>schemes</u>, either in the UK or in other countries, along with any additional information that has the potential to reduce the perceived risk of the innovation (and hence increase the value).</p>
<p>(5.30.3) NOTE <i>More detail on departures for pilots and trials is given in Section 9.</i></p>	<p>(5.31.3) NOTE <i>More detail on departures for pilots and trials is given in Section 9.<u>Section 9.</u></i></p>

Sub Heading **Maintenance considerations**

(5.31) NOTE 2 *Table 5.31N lists maintenance factors that can be impacted by or influence the justification for a departure.*

Table 5.31N2 Factors to consider when assessing the maintenance impacts of a departure

Asset Maintainability	Design life of assets. Frequency of routine and planned activities. Reliability. Access requirements. Duration of major and minor maintenance activities. Means of removal or replacement. Impact of maintenance works on customers.
Maintenance regimes	Impact of specific maintenance requirements on standard operating and maintenance regimes for the route or section of the motorway and all-purpose trunk road network or adjacent infrastructure owners. Plant and equipment available to the maintainer. Skills and capacity of maintainer to adopt alternative regimes. Existing risks. Traffic management requirements including lane closures, contraflow, diversion routes.
Adjacent assets	Access to adjacent structures and ancillary items such as drainage, signs, lighting, signalling equipment, telephones, planting and mown areas Access to ploughed snow storage, salting routes and diversion routes for routine winter maintenance activities.

(5.32) NOTE 2 *Table 5.31N lists maintenance factors that can be impacted by or influence the justification for a departure. 5.32N2 lists maintenance factors that can be impacted by or influence the justification for a departure.*

Table 5.32N2 Factors to consider when assessing the maintenance impacts of a departure

Asset Maintainability	Design life of assets. Frequency of routine and planned activities. Reliability. Access requirements. Duration of major and minor maintenance activities. Means of removal or replacement. Impact of maintenance works on customers.
Maintenance regimes	Impact of specific maintenance requirements on standard operating and maintenance regimes for the route or section of the motorway and all-purpose trunk road network or adjacent infrastructure <u>adjacent infrastructure</u> owners. Plant and equipment available to the maintainer. Skills and capacity of maintainer to adopt alternative regimes. Existing risks. Traffic management requirements including lane closures, contraflow, diversion routes.
Adjacent assets	Access to adjacent structures and ancillary items such as drainage, signs, lighting, signalling equipment, telephones, planting and mown areas Access to ploughed snow storage, salting routes and diversion routes for routine winter maintenance activities.

Sub Heading **Monitoring**

5.34 Where, through consultation with the Technical Specialist and Project Manager, post-project monitoring relating to the departure is proposed, the application shall include details of:
1) The objective of the monitoring;
2) What is going to be monitored;
3) How it will be monitored;
4) How data will be collected and analysed;
5) The frequency of the proposed monitoring;
6) The duration of the proposed monitoring;
7) The cost of the proposed monitoring (including any set up and long term costs); and
8) Who will have responsibility (including funding) for the monitoring.

(5.34) NOTE 1 *Highways England's Strategic Plan emphasises the need to analyse the safety performance of projects after construction.*

5.35 Where, through consultation with the Technical Specialist and Project Manager, post-~~project~~ scheme monitoring relating to the departure is proposed, the application shall include details of:
1) The objective of the monitoring;
2) What is going to be monitored;
3) How it will be monitored;
4) How data will be collected and analysed;
5) The frequency of the proposed monitoring;
6) The duration of the proposed monitoring;
7) The cost of the proposed monitoring (including any set up and long term costs); and
8) Who will have responsibility (including funding) for the monitoring.

(5.35) NOTE 1 *National Highways-England's Strategic Plan emphasises the need to analyse the safety performance of ~~projects~~ schemes after construction.*

Heading The departure application	
5.37	Regardless of any early engagement, the departure application shall be written assuming that the Technical Specialist has no prior knowledge of the project or area in which the project is situated.
5.38	Regardless of any early engagement, the departure application shall be written assuming that the Technical Specialist has no prior knowledge of the projectscheme or area in which the projectscheme is situated.
5.39	The application shall contain the information required for all departures by Appendix B and the discipline-specific guidance given in Appendix C, as well as information requested during early engagement with Technical Specialists.
5.40	The application shall contain the information required for all departures Appendix B and the discipline-specific guidance given in Appendix C, as well as information requested during early engagement with Technical Specialists. by and any discipline-specific requirements as outlined within the DAS submission template and within the DAS Help pages (https://das-help.highwaysengland.co.uk), as well as information requested during early engagement with Technical Specialists.
(5.39) NOTE 2	<i>Guidance on completing the application form is included in Appendix B.</i>
(5.40) NOTE 2	<i>Guidance on completing the application form is included B in within Appendix the DAS submission template and within the DAS Help pages (https://das-help.highwaysengland.co.uk).</i>
Sub Heading Attachments	
5.41	Where attachments are included, the application shall include a summary table, documenting the following information for each attachment: 1) the file name; 2) the description of the attachment (i.e. Risk Assessment, Cost Benefit Calculations etc.); 3) how each attachment supports the departure application, and; 4) the relevant pages in the attachment to the departure application.
5.42	Where attachments are included, the application shall include a summary table, documenting the following information for each attachment: 1) an optional reference for the file attachment name to facilitate quick cross-referencing within the submission; 2) the file name; and 3) how each attachment supports the departure application, and; 4) the relevant pages in the attachment to the departure application. 5) the description of the attachment (i.e. Risk Assessment, Cost Benefit Calculations etc.).
5.42	A plain English title shall be given where a project-specific file naming convention (e.g. GG 184 [Ref 18.I]) is used.
5.43	A plain English title shall be given where a projectscheme -specific file naming convention (e.g. GG 184 [Ref 6.I]) is used.
6. Project governance for departures	
Heading Departure identification and assessment	

<p>6.3 When a potential departure is initially identified by the Designer, the Project Manager shall consider the associated risks, opportunities and benefits to the project and agree whether the departure will be developed for submission.</p>	<p>6.3 When a potential departure is initially identified by the Designer, the Project Manager shall consider the associated risks, opportunities and benefits to the project <u>scheme</u> and agree whether the departure will be developed for submission.</p>
<p>(6.3) NOTE <i>Section 4 discusses management of project risks associated with departures.</i></p>	<p>(6.3) NOTE <i>Section 4 discusses management of project risks associated with departures.</i> <u><i>Section 4 discusses management of project risks associated with departures.</i></u></p>
<p>Heading Pre-submission review</p>	
<p>6.6.1 In determining if they support the application the Project Manager should consider the following:</p> <ol style="list-style-type: none"> 1) The technical, contractual, commercial or programme benefits of the proposed departure; 2) The potential adverse impacts including any safety, contractual, commercial, statutory, environmental, programme or operational issues, including impacts on other disciplines or suppliers; 3) Whether the claimed benefits of the departure will actually be realised by Highways England; 4) Whether any undertakings given during statutory procedures (where applicable) will be breached; and 5) The responses from the consultations which have been undertaken. 	<p>6.6.1 In determining if they support the application the Project Manager should consider the following:</p> <ol style="list-style-type: none"> 1) The technical, contractual, commercial or programme benefits of the proposed departure; 2) The potential adverse impacts including any safety, contractual, commercial, statutory, environmental, programme or operational issues, including impacts on other disciplines or suppliers; 3) Whether the claimed benefits of the departure will actually be realised by <u>National</u> Highways England; 4) Whether any undertakings given during statutory procedures (where applicable) will be breached; and 5) The responses from the consultations which have been undertaken.
<p>(6.7) NOTE 1 <i>This can be done individually on a departure by departure basis or as a single request covering all departure applications for a project or series of projects.</i></p>	<p>(6.7) NOTE 1 <i>This can be done individually on a departure by departure basis or as a single request covering all departure applications for a project <u>scheme</u> or series of projects <u>schemes</u>.</i></p>
<p>(6.7) NOTE 3 <i>Guidance on interaction with third parties such as local roads and other scenarios is given in Section 8.</i></p>	<p>(6.7) NOTE 3 <i>Guidance on interaction with third parties such as local roads and other scenarios is given in Section 8 <u>Section 9</u>.</i></p>

<p>New</p>	<p>6.8 <u>The Project Manager shall liaise with the Operations Liaison Officer (OD Senior User) in accordance with the Departure Manual i.e. paragraphs 3.11 (2), 3.24, 5.9, 5.9.1 (6), 5.9.3, 5.10 and 5.32 to 5.32.1 inclusive before the Departure is supported by the Project Manager.</u></p>																																						
<p>(6.9) NOTE 2 A list of common reasons for rejection and rework are given in Appendix D.</p>	<p>(6.10) NOTE 2 A list of common reasons for rejection and rework are given in Appendix DB.</p>																																						
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<p>6.13 In the event that the Project Manager decides there are sufficient grounds to determine an application in a different way to the recommendation of the Technical Specialist, then Table 6.13 shows the appropriate course of action that shall be taken.</p> <p>Table 6.13 Decision matrix for determining a departure where</p> <table border="1" data-bbox="397 955 1418 1514"> <thead> <tr> <th colspan="2" rowspan="2"></th> <th colspan="3">Technical Specialist's recommendation</th> </tr> <tr> <th>Approve</th> <th>Approve with conditions</th> <th>Reject</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Project Manager's Determination</td> <td>Approve</td> <td>✓</td> <td>(see table cell to right)</td> <td rowspan="2">Either: 1) Reject and ask the designer to resubmit departure addressing the Technical Specialist's concerns, or; 2) Undertake diligence, potentially through seeking independent advice and justify in DAS.</td> </tr> <tr> <td>Approve with Conditions</td> <td rowspan="2">Record reasoning in DAS</td> <td>✓ if conditions are unaltered, if altered record in DAS</td> </tr> <tr> <td>Reject</td> <td>Record reasoning in DAS</td> <td>✓</td> </tr> </tbody> </table>			Technical Specialist's recommendation			Approve	Approve with conditions	Reject	Project Manager's Determination	Approve	✓	(see table cell to right)	Either: 1) Reject and ask the designer to resubmit departure addressing the Technical Specialist's concerns, or; 2) Undertake diligence, potentially through seeking independent advice and justify in DAS.	Approve with Conditions	Record reasoning in DAS	✓ if conditions are unaltered, if altered record in DAS	Reject	Record reasoning in DAS	✓	<p>6.14 In the event that the Project Manager decides there are sufficient grounds to determine an application in a different way to the recommendation of the Technical Specialist, then Table 6.13 shows the appropriate course of action that shall be taken. <u>Table 6.14 shows the appropriate course of action that shall be taken.</u></p> <p>Table 6.14 Decision matrix for determining a departure where</p> <table border="1" data-bbox="1768 991 2789 1549"> <thead> <tr> <th colspan="2" rowspan="2"></th> <th colspan="3">Technical Specialist's recommendation</th> </tr> <tr> <th>Approve</th> <th>Approve with conditions</th> <th>Reject</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Project Manager's Determination</td> <td>Approve</td> <td>✓</td> <td>(see See table cell to right)6.15</td> <td rowspan="2">Either: See 1) Reject and ask the designer to resubmit departure addressing the Technical Specialist's concerns, or; 2) Undertake diligence, potentially through seeking independent advice and justify in DAS6.15</td> </tr> <tr> <td>Approve with Conditions</td> <td rowspan="2">Record reasoning in DAS</td> <td>✓ if conditions are unaltered, if altered record in DAS</td> </tr> <tr> <td>Reject</td> <td>Record reasoning in DAS</td> <td>✓</td> </tr> </tbody> </table>			Technical Specialist's recommendation			Approve	Approve with conditions	Reject	Project Manager's Determination	Approve	✓	(see See table cell to right)6.15	Either: See 1) Reject and ask the designer to resubmit departure addressing the Technical Specialist's concerns, or; 2) Undertake diligence, potentially through seeking independent advice and justify in DAS6.15	Approve with Conditions	Record reasoning in DAS	✓ if conditions are unaltered, if altered record in DAS	Reject	Record reasoning in DAS	✓
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<p>6.14 The justification for approving a departure for which a recommendation for rejection was made shall directly address the concerns stated by the Technical Specialist.</p>	<p>6.15 The Where justification the for PM approving intends to determine a departure for as approved (with or without conditions) that was recommended to be rejected by the Authorising Signatory, or approve without conditions an application which was recommendation recommended for rejection approval was with made conditions, shall an exception report directly address addressing the concerns stated by the Technical Specialist shall be produced by the Project Manager and signed off by the appropriate Divisional Director(s), prior to recording the determination in DAS.</p>																																						
<p>New</p>	<p>6.16 <u>In the above situation, the exception report produced shall be added to the departure application within DAS using the attachment features provided.</u></p>																																						

New	(6.16) NOTE	<u>For details of the exception report process, please contact DAS Admin (departures@nationalhighways.co.uk).</u>
Heading Post-Determination		
6.17 To assist Highways England understand the cost benefit associated with departures, it is important to review the estimated cost benefit as defined in the original application and reflect against what was achieved. The Project Manager shall record the realised cost benefit when recording whether the departure application was incorporated into the works as part of post-determination. Refer to Section 5 for further information on cost benefit.	6.19	To assist National Highways England understand the cost benefit associated with departures, it is important to review the estimated cost benefit as defined in the original application and reflect against what was achieved. The Project Manager shall record the realised cost benefit when recording whether the departure application was incorporated into the works as part of post-determination. Refer to Section 5 for further information on cost benefit.
7. Appraising departure applications		
New	(7.1) NOTE	<u>The Specialist Submission Point and/or Authorising Signatory can also undertake these requirements if they are also acting in the capacity of the Technical Specialist.</u>
Heading Early engagement		
7.2 Where a departure is of sufficient complexity or criticality that the Designer requires input to minimise risk to design development, the Technical Specialist shall, if requested, provide an initial view of the proposed departure, raise any concerns and define any further evidence, to that listed in Appendix B and Appendix C, that will be required to support the application.	7.2	Where a departure is of sufficient complexity or criticality that the Designer requires input to minimise risk to design development, the Technical Specialist shall, if requested, provide an initial view of the proposed departure, raise any concerns and define any further evidence, <u>in addition</u> to that listed <u>outlined</u> in <u>within Appendix the B and Appendix C guidance</u> , that will be required to support the application.
New	(7.2) NOTE 3	<u>Guidance on standard evidence requirements, and discipline specific requirements, is provided within the DAS submission template and within the DAS Help pages (https://das-help.highwaysengland.co.uk).</u>
Heading Technical appraisal		
New	7.7.1	<u>Approval conditions should be used by a technical specialist to require additional monitoring. Such conditions must be realistic and achievable, and the project manager should plan for the longevity of the monitoring requested, ownership and transfer to operations.</u>

7.8	Applying professional judgement, the Technical Specialist shall decide if they consider that the proposed departure provides a net benefit to Highways England in fulfilling its objective of "delivering a highly performing strategic road network and the best possible service for road users and other stakeholders" HE Framework [Ref 6.1] compared to a compliant design or alternative options that have been assessed and dismissed.	7.8	Applying professional judgement, the Technical Specialist shall decide if they consider that the proposed departure provides a net benefit to <u>National</u> Highways England in fulfilling its objective of "delivering a highly performing strategic road network and the best possible service for road users and other stakeholders" HE Framework [Ref 2.1] <u>when</u> compared to a compliant design or alternative options that have been assessed and dismissed.
(7.8) NOTE	<i>Particularly for third party projects, a departure can be proposed based on its benefit to other infrastructure owners or the wider economy where there is little to no impact on Highways England's delivery of the Strategic Road Network.</i>	(7.8) NOTE	<i>Particularly for third party projects <u>schemes</u>, a departure can be proposed based on its benefit to other infrastructure owners or the wider economy where there is little to no impact on <u>National</u> Highways England's delivery of the Strategic Road Network.</i>
Heading Making a recommendation			
(7.13) NOTE 2	<i>A list of common reasons for rejections and requests for rework are given in Appendix D.</i>	(7.13) NOTE 2	<i>A list of common reasons for rejections and requests for rework are given in Appendix DB.</i>
Sub Heading <u>Approval with Conditions</u>			
(7.14) NOTE	<i>Conditions, when approved by the Project Manager, become a variance to the employer's requirements in the contract and therefore become a project requirement with the same status as standards.</i>	(7.14) NOTE	<i>Conditions, when approved by the Project Manager, become a variance to the employer's requirements in the contract and therefore become a project <u>scheme</u> requirement with the same status as standards.</i>
Heading Timing			
7.20	A time limit of 30 working days shall apply to SES for undertaking phases 5 and 6 (Table 3.1), unless by agreement of the Project Manager.	7.20	A time limit of Table 3.1), unless by agreement of the Project Manager. <u>42 calendar days</u> (30 working days) shall apply to SES for undertaking phases 5 and 6 (<u>Table 3.1</u>), <u>unless by agreement of the Project Manager.</u>
7.20.1	The Project Manager should agree to an extension of the 30 working day limit for SES where the Technical Specialist requires input from other disciplines before making a recommendation.	7.20.1	The Project Manager should agree to an extension of the <u>42 calendar days</u> (30 working day <u>days</u>) limit for SES where the Technical Specialist requires input from other disciplines before making a recommendation.
7.21	If the application has been returned for rework, on re-submission the 30 working day limit for SES appraisal shall be reset.	7.21	If the application has been returned for rework, on re-submission the <u>42 calendar days</u> (30 working day <u>days</u>) limit for SES appraisal shall be reset.
8. Related departures and departures that apply at more than one location			

<p>NOTE</p> <p><i>[DRAFTING NOTE] Implementation of this section will develop through planned enhancements to DAS and the Departures Manual will be revised accordingly. The objective will be to eliminate as much duplication and waste as possible, whilst retaining audit and search functionality.</i></p>	<p><i>[DRAFTING NOTE] Implementation of this section will develop through planned enhancements to DAS and the Departures Manual will be revised accordingly. The objective will be to eliminate as much duplication and waste as possible, whilst retaining audit and search functionality.</i></p>
<p>Heading</p> <p>Departure proposed where the project or location is not known</p>	<p>Heading</p> <p>Departure proposed where the project<u>scheme</u> or location is not known</p>
<p>8.14</p> <p>A departure application shall not be submitted where the project or specific location(s) where the departure will be used has not been identified.</p>	<p>8.14</p> <p>A departure application shall not be submitted where the project<u>scheme</u> or specific location(s) where the departure will be used has not been identified.</p>
<p>(8.14) NOTE</p> <p><i>Highways England has several routes for exploring the general acceptability of innovative ideas, products or methods (e.g. The Innovation Portal Innovation Portal [Ref 8.1]). Engagement through these routes can be used as evidence to support a departure application when the project is known.</i></p>	<p>(8.14) NOTE</p> <p><i><u>National</u> Highways England has several routes for exploring the general acceptability of innovative ideas, products or methods (e.g. The Innovation Portal Innovation Portal [Ref 3.1]). Engagement through these routes can be used as evidence to support a departure application when the project<u>scheme</u> is known.</i></p>

9. Guidance for specific circumstances

<p>Heading DBFO schemes – post-award</p>																	
<p>9.4</p> <p>The departure determination for DBFO schemes shall be interpreted in accordance with Table 9.4.</p> <p>Table 9.4 Interpretation of departure determination for DBFO and D&B schemes</p> <table border="1" data-bbox="400 1816 1418 1984"> <thead> <tr> <th>Departure Determination</th> <th>DBFO Interpretation</th> </tr> </thead> <tbody> <tr> <td>Approved</td> <td>Received</td> </tr> <tr> <td>Approved with conditions</td> <td>Received with comments</td> </tr> <tr> <td>Rejected</td> <td>Returned marked comments</td> </tr> </tbody> </table>	Departure Determination	DBFO Interpretation	Approved	Received	Approved with conditions	Received with comments	Rejected	Returned marked comments	<p>9.4</p> <p>The departure determination for DBFO schemes shall be interpreted in accordance with Table 9.4.<u>Table 9.4.</u></p> <p>Table 9.4 Interpretation of departure determination for DBFO and D&B schemes</p> <table border="1" data-bbox="1765 1816 2783 1984"> <thead> <tr> <th>Departure Determination</th> <th>DBFO Interpretation</th> </tr> </thead> <tbody> <tr> <td>Approved</td> <td>Received</td> </tr> <tr> <td>Approved with conditions</td> <td>Received with comments</td> </tr> <tr> <td>Rejected</td> <td>Returned marked comments</td> </tr> </tbody> </table>	Departure Determination	DBFO Interpretation	Approved	Received	Approved with conditions	Received with comments	Rejected	Returned marked comments
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<p>9.5.1 Depending on Highways England's particular management arrangements for individual DBFO contracts, consultants may be appointed by Highways England to provide detailed scheme advice and recommendations on departure applications as an aid to the Department's Nominee.</p>	<p>9.5.1 Depending on <u>National Highways</u>' England's particular management arrangements for individual DBFO contracts, consultants may be appointed by <u>National Highways</u> England to provide detailed scheme advice and recommendations on departure applications as an aid to the Department's Nominee.</p>																
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<p>NOTE <i>[DRAFTING NOTE] Sub-section in abeyance pending discussion with commercial teams.</i></p>	<p><i>[DRAFTING NOTE] Sub-section in abeyance pending discussion with commercial teams.</i></p>																
<p>9.6 In Design & Build (D&B) contracts, a departure shall mean one or a combination of the following:</p> <ol style="list-style-type: none"> 1) the use of a technical design directive or technical specification, whether in the DMRB or not, in a manner or circumstance which is not permitted or provided for in such directive or specification; 2) the use of technical design directives other than those in the DMRB; 3) the use of technical specifications for materials or workmanship other than those in the Specification for Highway Works and Highway Construction Details; and 4) the use of a set of requirements (additional criteria) for any aspect of the Works for which requirements are not given in the requirements currently in force. 	<p>9.6 In Design & Build (D&B) contracts, a departure shall mean one or a combination of the following:</p> <ol style="list-style-type: none"> 1) the use of a technical design directive or technical specification, whether in the DMRB <u>and/or not MCHW</u>, in a manner or circumstance which is not permitted or provided for in such directive or specification; 2) the use of technical design directives other than those in the DMRB; 3) the use of technical specifications for materials or workmanship other than those in the Specification for Highway Works and Highway Construction Details; and 4) the use of a set of requirements (additional<u>or</u> criteria) for any aspect of the Works for beyond which those requirements described are within not the given DMRB in and/or MCHW including the requirements use currently of in innovative foree materials or processes. 																
<p>9.7 The D&B roles shall be applied to the departures roles in accordance with Table 9.7.</p> <p>Table 9.7 Application of departure roles to D&B contracts</p> <table border="1" data-bbox="400 1213 1418 1444"> <thead> <tr> <th>D&B Role</th> <th>Departure Role</th> </tr> </thead> <tbody> <tr> <td>D&B Contractor</td> <td>Design Organisation 1) Designer 2) Proposer</td> </tr> <tr> <td>Employer's Agent</td> <td>As defined below.</td> </tr> <tr> <td>Highways England Project Manager</td> <td>Project Manager</td> </tr> </tbody> </table>	D&B Role	Departure Role	D&B Contractor	Design Organisation 1) Designer 2) Proposer	Employer's Agent	As defined below.	Highways England Project Manager	Project Manager	<p>9.7 The D&B roles shall be applied to the departures roles in accordance with Table 9.7.</p> <p>Table 9.7 Application of departure roles to D&B contracts</p> <table border="1" data-bbox="1768 1213 2786 1444"> <thead> <tr> <th>D&B Role</th> <th>Departure Role</th> </tr> </thead> <tbody> <tr> <td>D&B Contractor</td> <td>Design Organisation 1) Designer 2) Proposer</td> </tr> <tr> <td>Employer's Agent</td> <td>As defined below:<u>As defined below.</u></td> </tr> <tr> <td><u>National Highways</u> England Project Manager</td> <td>Project Manager</td> </tr> </tbody> </table>	D&B Role	Departure Role	D&B Contractor	Design Organisation 1) Designer 2) Proposer	Employer's Agent	As defined below: <u>As defined below.</u>	<u>National Highways</u> England Project Manager	Project Manager
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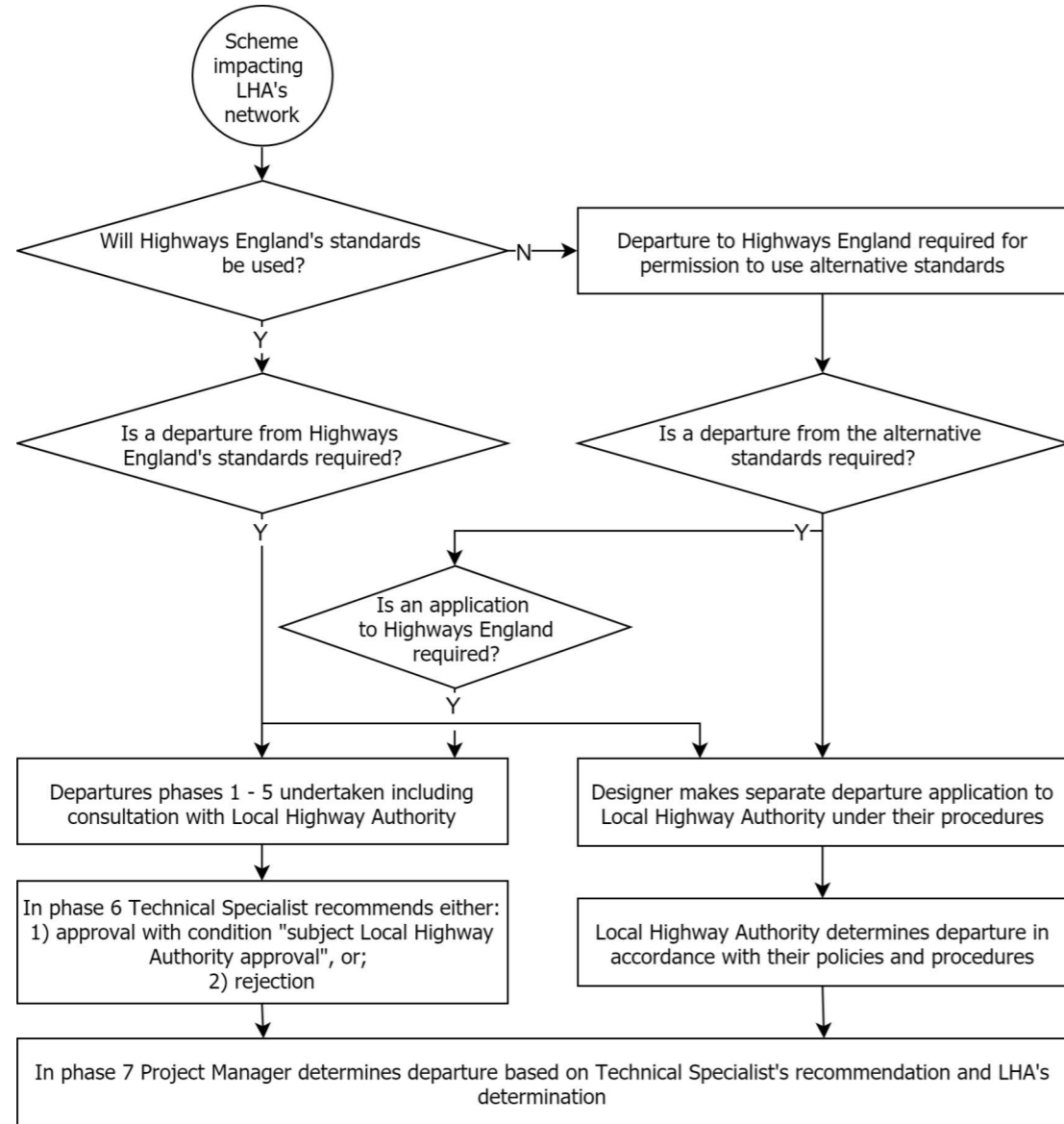
<p>9.8 For post-award D&B schemes, the departure process given in Figure 3.1a and 3.1b shall be modified to incorporate the Employer's Agent as shown in Figure 9.8.</p> <p>Figure 9.8 Modifications to departures process for post-award D&B schemes</p>	<p>9.8 For post-award D&B schemes, the departure process given in Figure 3.1a and 3.1b shall be modified to incorporate the Employer's Agent as shown in Figure 9.8Figure 9.8.</p> <p>Figure 9.8 Modifications to departures process for post-award D&B schemes</p>
<p>9.9 The departure determination for D&B schemes shall be interpreted in accordance with Table 9.4.</p>	<p>9.9 The departure determination for D&B schemes shall be interpreted in accordance with Table 9.4Table 9.4.</p>
<p>Heading Departures supporting a tender</p>	
<p>(9.12.1) NOTE See Section 10 for details of confidentiality.</p>	<p>(9.12.1) NOTE See Section 10 for details of confidentialitySection 10 for details of confidentiality.</p>
<p>Heading Pilots and trials</p>	
<p>9.13 As noted in the 'Guide for the Design, Management and Delivery of Pilots and Trials on Highways England Network' HE (Pilots & Trials) [Ref 2.N] , the proposed use of any design, method or material that does not comply with, or is an aspect not covered by requirements or advice documents for a pilot or trial shall require a departure.</p>	<p>9.13 As noted in the 'Guide for the Design, Management and Delivery of Pilots and Trials on National Highways England-Network' HE (Pilots & Trials) [Ref 2.N] , the proposed use of any design, method or material that does not comply with, or is an aspect not covered by requirements or advice documents for a pilot or trial shall require a departure.</p>
<p>9.14 The Project Manager shall agree with the relevant Technical Specialist, before a departure application is submitted, which external organisation, or which part of Highways England, will cover the cost of the following aspects:</p> <ol style="list-style-type: none"> 1) operation of the pilot or design and construction of the trial (or that element of the works if part of a larger project); 2) supervision and reporting during the pilot or trial; and 3) surveys to inspect and report on the condition of the trial area(s) after specified periods of time. 	<p>9.14 The Project Manager shall agree with the relevant Technical Specialist, before a departure application is submitted, which external organisation, or which part of National Highways England, will cover the cost of the following aspects:</p> <ol style="list-style-type: none"> 1) operation of the pilot or design and construction of the trial (or that element of the works if part of a larger projectscheme); 2) supervision and reporting during the pilot or trial; and 3) surveys to inspect and report on the condition of the trial area(s) after specified periods of time.

<p>9.17.2 The draft wording should also be emailed to the feedback e-mail address for Standards Enquiries, standards_enquiries@highwaysengland.co.uk.</p>	<p>9.17.2 The draft wording should also be emailed to the feedback e-mail address for Standards Enquiries, standards_enquiries@highwaysenglandnationalhighways.co.uk.</p>
<p>Heading Interaction with local roads on works promoted by Highways England</p>	<p>Heading Interaction with local roads on works promoted by <u>National</u> Highways-England</p>

9.19

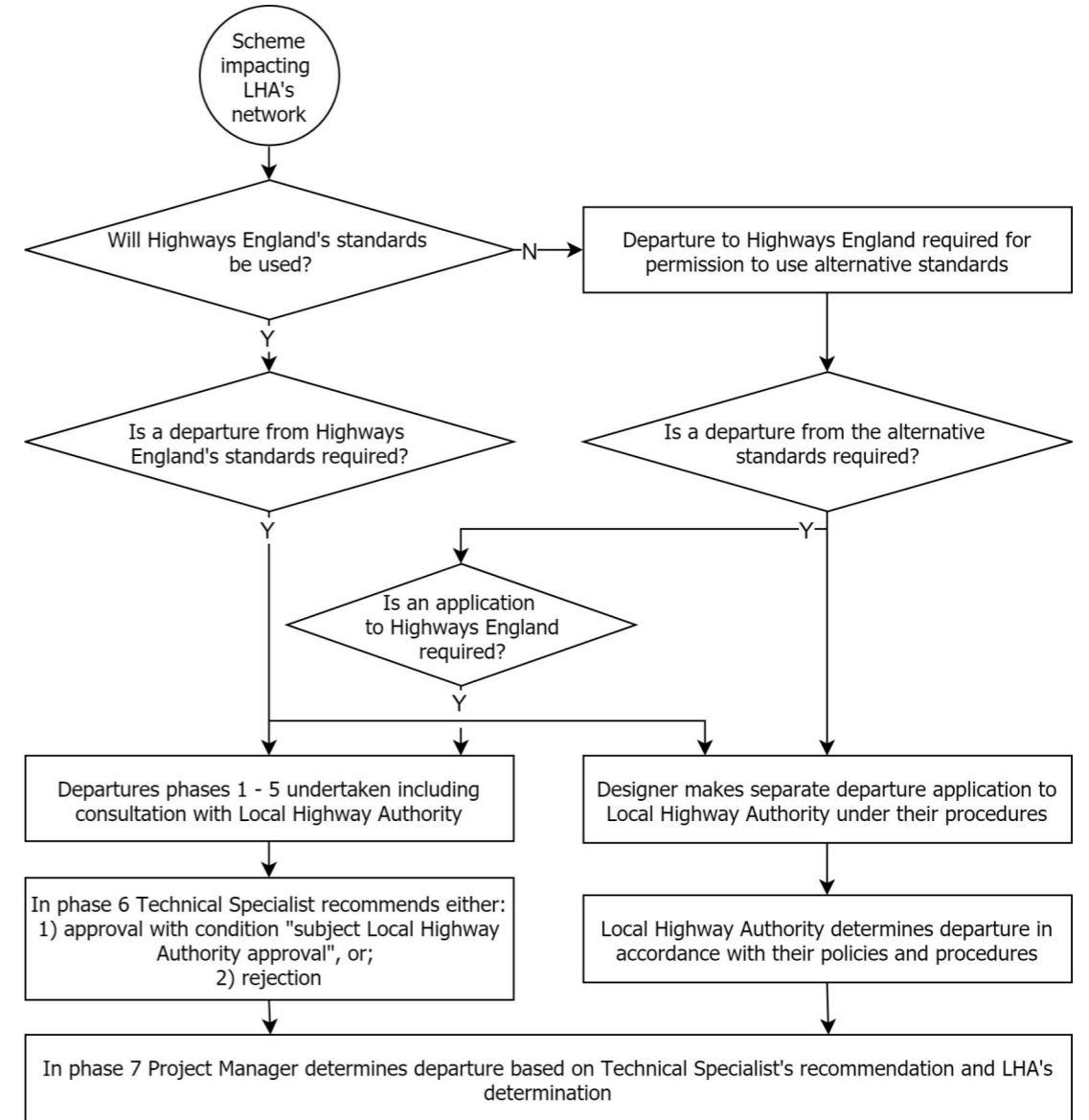
Where a project impacts a Local Highway Authority's (LHA) network, for that part of the works the modified departures process given in Figure 9.19 shall apply.

Figure 9.19 Modified departures process for schemes that impact a Local Highway Authority's network



~~Where a project impacts a Local Highway Authority's (LHA) network, for that part of the works the modified departures process given in Figure 9.19 shall apply.~~

~~**Figure 9.19- Modified departures process for schemes that impact a Local Highway Authority's network**~~



9.20

Where works that will subsequently be adopted by a LHA are to be carried out by Highways England, the standards to be used shall be agreed between Highways England and the adopting authority.

(9.20) NOTE

The final decision for the standards that will be used on a local road is likely to belong to authority that will adopt the road.

~~Where works that will subsequently be adopted by a LHA are to be carried out by Highways England, the standards to be used shall be agreed between Highways England and the adopting authority.~~

~~*The final decision for the standards that will be used on a local road is likely to belong to authority that will adopt the road.*~~

9.21

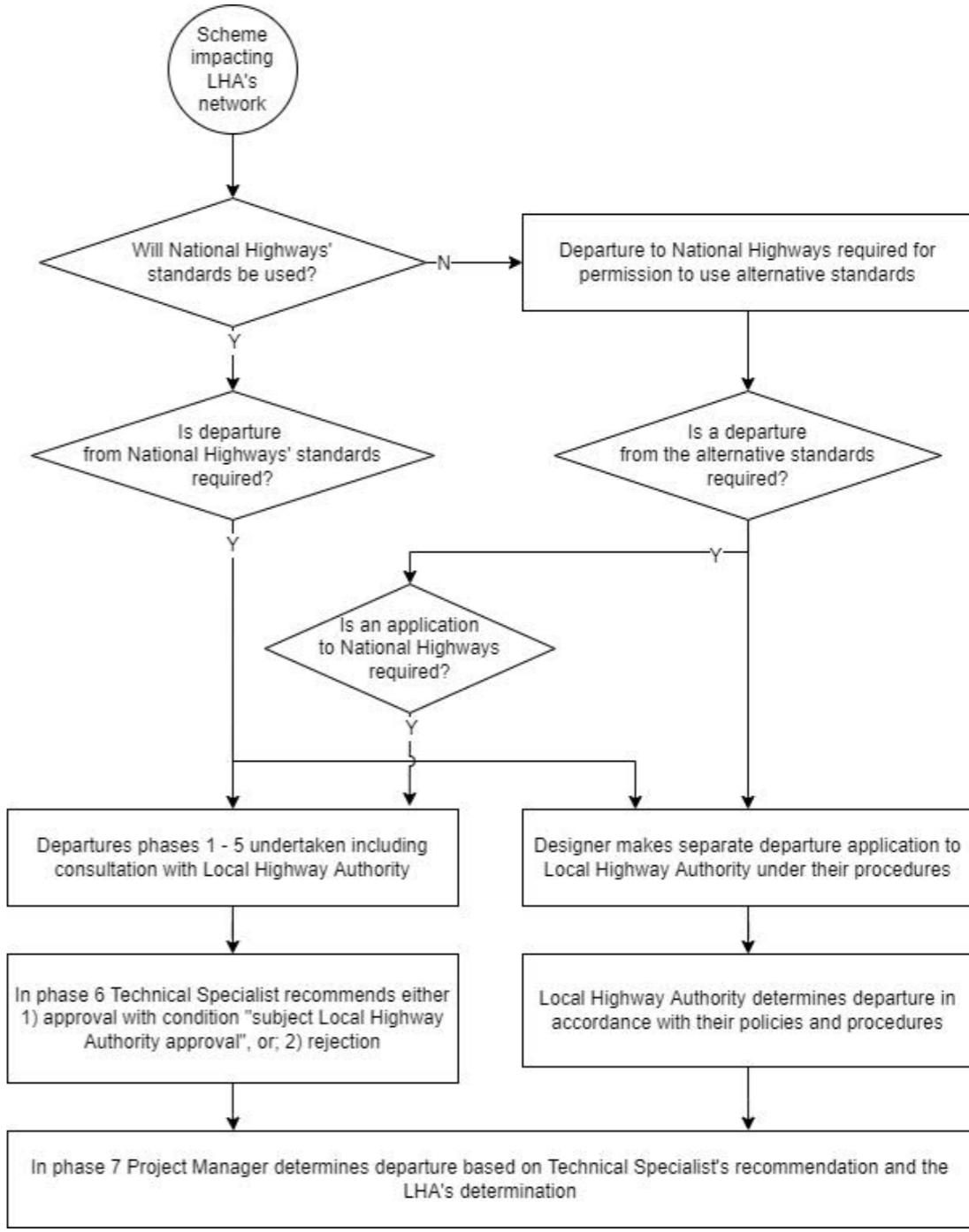
Where a departure on a project promoted by Highways England has an impact on a local road, either temporarily or permanently, a separate departure application shall be determined by the LHA prior to the Project Manager determining the application that is made to Highways England.

(9.21) NOTE

LHA processes for determining departure applications are not always fully formalised, but that does not preclude them from assessing whether they are content with the safety of the design of a Highways England-promoted project and conveying their approval (or otherwise) in writing.

~~Where a departure on a project promoted by Highways England has an impact on a local road, either temporarily or permanently, a separate departure application shall be determined by the LHA prior to the Project Manager determining the application that is made to Highways England.~~

~~*LHA processes for determining departure applications are not always fully formalised, but that does not preclude them from assessing whether they are content with the safety of the design of a Highways England-promoted project and conveying their approval (or otherwise) in writing.*~~

9.22	Where a departure from an alternative standard (that's use has already been approved through a separate departure) is identified, the Designer shall consult the Technical Specialist to confirm if a new departure application to Highways England is required.	Where a departure from an alternative standard (that's use has already been approved through a separate departure) is identified, the Designer shall consult the Technical Specialist to confirm if a new departure application to Highways England is required.
9.22.1	The Technical Specialist may instruct the Designer that a departure to an alternative standard is not required. In which case, the Designer shall record the correspondence in the diary and withdraw the departure in DAS.	The Technical Specialist may instruct the Designer that a departure to an alternative standard is not required. In which case, the Designer shall record the correspondence in the diary and withdraw the departure in DAS.
9.23	The Project Manager shall not approve a departure that impacts a local road that is rejected by the LHA.	The Project Manager shall not approve a departure that impacts a local road that is rejected by the LHA.
New	9.19	<p data-bbox="1765 478 2760 583"><u>Where a scheme impact's a Local Highway Authority's (LHA) network, for that part of the works the modified departures process given in Figure 9.19 shall apply.</u></p> <p data-bbox="1765 598 2686 661"><u>Figure 9.19 Modified departures process for schemes that impact a Local Highway Authority's network</u></p>  <pre> graph TD Start([Scheme impacting LHA's network]) --> D1{Will National Highways' standards be used?} D1 -- N --> B1[Departure to National Highways required for permission to use alternative standards] D1 -- Y --> D2{Is departure from National Highways' standards required?} B1 --> D3{Is a departure from the alternative standards required?} D2 -- Y --> D4{Is an application to National Highways required?} D3 -- Y --> D4 D4 -- Y --> B2[Departures phases 1 - 5 undertaken including consultation with Local Highway Authority] D4 -- N --> B3[Designer makes separate departure application to Local Highway Authority under their procedures] B2 --> B4[In phase 6 Technical Specialist recommends either 1) approval with condition "subject Local Highway Authority approval", or; 2) rejection] B3 --> B5[Local Highway Authority determines departure in accordance with their policies and procedures] B4 --> B6[In phase 7 Project Manager determines departure based on Technical Specialist's recommendation and the LHA's determination] B5 --> B6 </pre>

New		9.20	<u>Where works that will subsequently be adopted by a LHA are to be carried out by National Highways, the standards to be used shall be agreed between National Highways and the adopting authority.</u>
New		(9.20) NOTE	<u>The final decision for the standards that will be used on a local road is likely to belong to authority that will adopt the road.</u>
New		9.21	<u>Where a departure on a scheme promoted by National Highways has an impact on a local road, either temporarily or permanently, a separate departure application shall be determined by the LHA prior to the Project Manager determining the application that is made to National Highways.</u>
New		(9.21) NOTE	<u>LHA processes for determining departure applications are not always fully formalised, but that does not preclude them from assessing whether they are content with the safety of the design of a National Highways-promoted scheme and conveying their approval (or otherwise) in writing.</u>
New		9.22	<u>Where a departure from an alternative standard (that's use has already been approved through a separate departure) is identified, the Designer shall consult the Technical Specialist to confirm if a new departure application to National Highways is required.</u>
New		9.22.1	<u>The Technical Specialist may instruct the Designer that a departure to an alternative standard is not required. In which case, the Designer shall record the correspondence in the DAS application's diary and withdraw the departure in DAS.</u>
New		9.23	<u>The Project Manager shall not approve a departure that impacts a local road that is rejected by the LHA.</u>
Heading Works promoted by other organisations			
9.24	This manual shall apply to departures for projects not promoted by Highways England but where Highways England managed roads or assets are impacted.	9.24	This manual shall apply to departures for projects <u>schemes</u> not promoted by <u>National Highways</u> England but where <u>National Highways</u> England managed roads or assets are impacted.

<p>(9.24) NOTE 1</p>	<p>The main categories of works promoted by other organisations that effect Highways England managed roads include:</p> <ol style="list-style-type: none"> 1) Modifications to Highways England managed assets to allow local highway projects or development projects to be built (for example, diversions of Highways England managed road where it crosses the line of a proposed local road or a new development, including the construction of a bridge or other crossing); 2) Construction of new roads that are to be immediately adopted by Highways England (such as the construction of new slip roads and junctions or construction of a new highway); 3) Construction of new roads to be the responsibility of Highways England after an initial period of operation by the LHA or developer; 4) Construction of new or modification of existing private means of access (PMA) onto a trunk road, not promoted by Highways England; 5) Construction of new or modification of existing access/egress arrangements to roadside services facilities, in private or public ownership, not promoted by Highways England; and 6) Modification of a local road which utilises a Highways England Asset (such as modification to a local road which crosses a bridge owned by Highways England). 	<p>(9.24) NOTE 1</p>	<p>The main categories of works promoted by other organisations that effect <u>National Highways</u> England-managed roads include:</p> <ol style="list-style-type: none"> 1) Modifications to <u>National Highways</u> England-managed assets to allow local highway projects<u>schemes</u> or development projects<u>schemes</u> to be built (for example, diversions of <u>National Highways</u> England-managed road where it crosses the line of a proposed local road or a new development, including the construction of a bridge or other crossing); 2) Construction of new roads that are to be immediately adopted by <u>National Highways</u> England (such as the construction of new slip roads and junctions or construction of a new highway); 3) Construction of new roads to be the responsibility of <u>National Highways</u> England after an initial period of operation by the LHA or developer; 4) Construction of new or modification of existing private means of access (PMA) onto a trunk road, not promoted by <u>National Highways</u> England; 5) Construction of new or modification of existing access/egress arrangements to roadside services facilities, in private or public ownership, not promoted by <u>National Highways</u> England; and 6) Modification of a local road which utilises a <u>National Highways</u> England-Asset (such as modification to a local road which crosses a bridge owned by <u>National Highways</u> England).
<p>9.25</p>	<p>When notified of a proposed departure that could effect a Highways England road or asset, Highways England shall appoint a Project Manager to oversee the departure process and determine the departure.</p>	<p>9.25</p>	<p>When notified of a proposed departure that could effect<u>affect</u> a <u>National Highways</u> England-road or asset, <u>National Highways</u> England shall appoint a Project Manager to oversee the departure process and determine the departure.</p>
<p>(9.25) NOTE 1</p>	<p>Depending on the nature of the project, a Project Manager might already be in place.</p>	<p>(9.25) NOTE 1</p>	<p>Depending on the nature of the project<u>scheme</u>, a Project Manager might already be in place.</p>
<p>Heading Asset Delivery and works undertaken by "in-house" teams</p>			
<p>9.26</p>	<p>Where an internal Highways England team undertakes the role of Design Organisation, the requirements of this manual shall apply unaltered.</p>	<p>9.26</p>	<p>Where an internal <u>National Highways</u> England-team undertakes the role of Design Organisation, the requirements of this manual shall apply unaltered.</p>
<p>10. Confidentiality</p>			

10.1	Confidential departure applications shall not be accessible to those outside the design organisation or Highways England staff unless consent is given by the Project Manager.	10.1	Confidential departure applications shall not only be accessible to those outside <u>within</u> the <u>same</u> design organisation, or <u>National Highways</u> England -staff- unless consent is given by the Project Manager.
(10.1.1) NOTE 1	<i>Highways England cannot guarantee that a 'confidential' departure application will not be disclosed if it is the subject of a request made under the Freedom of Information Act FOI 2000 2000 [Ref 5.1] , as the potential exemptions (primarily Sections 41 and 43) have to be examined on a case-by-case basis.</i>	(10.1.1) NOTE 1	<i><u>National Highways</u> England cannot guarantee that a 'confidential' departure application will not be disclosed if it is the subject of a request made under the Freedom of Information Act FOI 2000 2000 [Ref 1.1] , as the potential exemptions (primarily Sections 41 and 43) have to be examined on a case-by-case basis.</i>
11. Continuous improvement through the departures system			
Heading Improving the departures process			
11.3	The DAS Admin Team shall keep the departures process under review and implement changes that will improve the quality and handling of departures.	11.3	The DAS Admin Team <u>team</u> shall keep the departures process under review and implement changes that will improve the quality and handling of departures.
(11.3) NOTE 1	<i>All stakeholders can feedback to the DAS Admin Team ideas for how the departures process can be enhanced to improve the quality and handling of departures.</i>	(11.3) NOTE 1	<i>All stakeholders can feedback to the DAS Admin Team<u>team</u> ideas for how the departures process can be enhanced to improve the quality and handling of departures.</i>
(11.3) NOTE 2	<i>The end-goal of the continuous improvement process are: 1) to minimise the number of departures applications that cannot be approved; 2) reduce waste (including abortive effort and unnecessary handling) associated with departures, and; 3) minimise negative impacts of departures on project delivery and benefits realisation.</i>	(11.3) NOTE 2	<i>The end-goal of the continuous improvement process are: 1) to minimise the number of departures applications that cannot be approved; 2) reduce waste (including abortive effort and unnecessary handling) associated with departures, and; 3) minimise negative impacts of departures on project<u>scheme</u> delivery and benefits realisation.</i>
Appendix A. Administration of the departures process			
A1	Departures Administration Team	A1	Departures <u>DAS Administration</u> <u>Admin Team</u> <u>team</u>
	The Departures Administration Team are responsible for the maintenance of the DAS database and maintain a list of the specialist submission points for each discipline.		The Departures <u>DAS Administration</u> <u>Admin Team</u> <u>team</u> are responsible for the maintenance of the DAS database and maintain a list of the specialist submission points for each discipline.
A2 DAS Help			

If you need any assistance with your departure submission, please consult DAS Help, this is accessible from DAS and contains:

- 1) Tutorial videos;
- 2) FAQs; and
- 3) Briefing Notes.

If you need any assistance with your departure submission, please consult DAS Help, this is accessible from DAS and contains:

- 1) [Tutorial Guidance videos; on how to complete the application form and submission templates](#)
- 2) [Tutorial videos;](#)
- 3) FAQs; and
- 4) Briefing Notes.

A3 Departures Help Desk

If you need further assistance with your departure submission please email the team: departures@highwaysengland.co.uk

If you need further assistance with your departure submission please email the team: departures@highwaysenglandnationalhighways.co.uk

A4 Enquiries

If you have any enquires in relation to this document please contact:

Table A.1 Document enquires contact details

Name	Role	Contact Details
Steve Davy	Head of Technical Standards	Directorate: Safety Engineering and Standards Division: Innovation and Continuous Improvement Team: Technical Assurance and Governance Group Location: Bedford Email: steve.davy@highwaysengland.co.uk
Homayoun Atife	Senior Technical Advisor	Directorate: Safety Engineering and Standards Division: Innovation and Continuous Improvement Team: Technical Assurance and Governance Group Location: Bedford Telephone: 0300 470 4752 Email: homayoun.atife@highwaysengland.co.uk

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Steve Davy	Head of Technical Standards	Directorate: Safety Engineering and Standards Division: Innovation and Continuous Improvement Team: Technical Assurance and Governance Group Location: Bedford Email: steve.davy@highwaysengland.co.uk
Homayoun Atife	Senior Technical Advisor	Directorate: Safety Engineering and Standards Division: Innovation and Continuous Improvement Team: Technical Assurance and Governance Group Location: Bedford Telephone: 0300 470 4752 or 07714 838034 Email: homayoun.atife@highwaysengland.co.uk
Sally Schwalm	DAS Project Assistant	Directorate: Safety Engineering and Standards Division: Innovation and Continuous Improvement Team: Technical Assurance and Governance Group Location: Bedford Telephone: 0300 470 4970 or 07598 559438 Email: Sally.Schwalm@highwaysengland.co.uk

Appendix B. Departure application form guidance

Departure application form guidance

Appendix C. Additional information required by departure type

Additional information required by departure type

Appendix B. Reasons for the rejection of departures

B1 General reasons for the rejection of departure applications

Common reasons for which departure applications may be rejected are given below.

Table D.1 General Reasons for rejection of departure applications

No.	Rejection category	Reasons for rejection
1	Incompleteness	a) Application form incomplete.
		b) Information required by Departures Manual not included.
		c) All content agreed during early engagement including consultations and evidence are not included.
		d) Interfaces and impact on other disciplines not considered.
2	Quality	a) Errors within the application.
		b) Inconsistencies within the application.
3	Business Case	a) Technical issues have not been adequately considered.
		b) Environmental issues have not been adequately considered.
		c) Operational issues have not been adequately considered.
		d) Maintenance issues have not been adequately considered.
		e) Disposal issues have not been adequately considered.
4	Safety Case	a) Risk assessment is incomplete.
		b) Mitigation measures not considered adequate.
		c) Residual risk is unacceptable.
5	Mitigation	a) More details on the mitigation proposed is required.
		b) Inappropriate mitigation measures proposed.
6	Justification	a) Further specific justification is required for the departure.
		b) The benefits of the departure do not outweigh the negative impacts.
		c) Benefits will not be realised by Highways England.

Common reasons for which departure applications may be rejected are given below.

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4	Safety Case	a) Risk assessment is incomplete.
		b) Mitigation measures not considered adequate.
		c) Residual risk is unacceptable.
5	Mitigation	a) More details on the mitigation proposed is required.
		b) Inappropriate mitigation measures proposed.
<u>6</u>	<u>Justification</u>	a) Further specific justification is required for the departure.
		b) The benefits of the departure do not outweigh the negative impacts.
		c) Benefits will not be realised by <u>National Highways-England</u> .
		d) <u>Departure not required</u> .

Appendix E. Background to the new departures process

Background to the new departures process