

Stephanie Tobyn
Deputy Director, Consumers
Railway Markets and Economics



10 November 2017

Angie Doll
Passenger Services Director
Southern & Gatwick Express

Dear Ms Doll,

Condition 5 of the passenger and station licences - Disabled People's Protection Policy (DPPP)

I write regarding Govia Thameslink Railway Limited's (GTR) compliance with condition 5 of its passenger and station licences.

In previous correspondence, we said that we were placing GTR under enhanced monitoring of performance regarding condition 5. This period has come to an end and we consider that GTR has provided assurance that it has systems and processes in place to provide the necessary assistance to passengers as required under its Disabled People's Protection Policy. We summarise below the information we have taken into account in our assessment.

Background

Under its passenger and station licences GTR is required to establish and comply with a Disabled People's Protection Policy (DPPP), setting out how it will protect the interests of people who are disabled in their use of trains operated by GTR and facilitate such use. ORR approved GTR's current DPPP in May 2016.

Our expectation is that all licence holders comply with their approved DPPP, as well as with wider equalities legislation, which ORR does not have the power to enforce but which remains relevant in this context. We take these matters seriously and would be concerned to identify any practices that prevented passengers who require assistance from making journeys by rail with confidence.

In late summer 2016 concerns were raised with us by members of the public, passengers with disabilities, MPs, and the RMT union about the planned changes in staffing on Southern services. Between August 2016 and June 2017 we met and corresponded with you on a number of occasions in order to clarify the effect that the proposed changes might have on passengers with disabilities and how any potential impacts would be mitigated.

Following the introduction of GTR's staffing changes in January 2017, we decided to initiate enhanced monitoring arrangements to ensure that GTR remained in compliance

with its approved DPPP on Southern services (noting that the proposed changes did not require amendment of the approved DPPP).

Summary of assurances provided by GTR

The specific concern relating to accessibility was around the role of conductor changing to that of 'On Board Supervisor' (OBS). Whilst a conductor was required on a train before it could depart from a platform, due to a change in the way train doors are controlled, trains can now run without an OBS on board in 'exceptional circumstances'.

In summary, we understand from the conversations and written communications with you that the following measures and guarantees are now in place.

Staffing:

- You have guaranteed that every train previously operated with a conductor will continue to have either a conductor or an OBS rostered;
- In addition, you have recruited approximately 100 extra staff to work as OBSs and provide further resilience to your services;
- Trains will run without an OBS on board in 'exceptional circumstances' only. You originally informed us that you had estimated that this could equate to approximately 0.06% of all trains (see further below);
- The OBS is able to walk through the train and provide assistance to passengers, is provided with disability awareness training, as well as training in safety and ramp deployment; and
- Station staff are also trained to provide assistance to passengers where required.

Assistance processes and options for passengers:

Where a train runs without an OBS on board GTR will discuss with any affected passenger the best way to assist him/her to their destination. There are a number of options available to passengers in such circumstances. These include:

- Waiting for the next service with an OBS (where this is scheduled to arrive within a reasonable period of time); or
- The provision of alternative accessible transport, such as an accessible taxi, to the end destination (this service is provided free of charge to the passenger); or
- Choosing to join a service at a staffed station and alighting at a staffed station (that is accessible to the passenger), with the provision of free alternative accessible transport to their final destination if this is then required.

You have also told us that station teams are fully briefed on the process to ensure that the OBS on the service is informed that a passenger requiring assistance has boarded the train, the physical location of the passenger and their destination. This is a face-to-face handover between the station staff and the OBS. This process also identifies to station staff where an OBS is not on board the train. The process is critical to ensure that passengers are provided with assistance to disembark the train, especially when their destination is a station which is not staffed from first to last train.

Assistance team:

For those Southern services which have moved from a conductor to an OBS a new assistance team has been established in the Southern control centre. The team are available from 05:00 until 23:00. The role of the team is to:

- Provide assistance to passengers who contact them via help points at stations or through a new dedicated freephone helpline number, and to liaise with the OBS team to make sure that passenger assistance is provided;
- Provide a single point of contact for the OBS team to notify if they are unable to join their rostered service; and
- Proactively contact those passengers who have pre-booked assistance in order to make suitable alternative arrangements with the passenger, where it is known sufficiently well in advance that an OBS will not be available for a particular service.

Communication:

For those Southern services which have moved from a conductor to an OBS:

- Help points have been re-labelled to make clear that they can be used to contact the passenger assistance team in the Southern control centre for help;
- Station posters have been updated (and in some cases re-sited) to make it clear how to get assistance at unstaffed stations;
- Posters include the new freephone helpline number established to ensure that passengers are able to make contact with a member of staff; and
- When an OBS is unable to join a service at the last minute, information is provided to passengers at stations on both customer information screens and as audible announcements made by the assistance team.

Enhanced monitoring

In March 2017 we confirmed that the above processes and procedures were potentially capable of delivering the requirements to provide assistance to passengers, including in situations where an OBS was not available. For that reason, no amendment to GTR's DPPP was considered necessary. We advised, however, that we would be putting the company on a period of enhanced monitoring until the end of May 2017 to ensure that the processes and procedures described were working effectively in practice.

As part of that enhanced monitoring, we requested that you provided us with the following data:

- The number of passengers who had booked assistance who were affected by an OBS not being available, and details of the alternative assistance provided; and
- The number of passengers who contacted the assistance team established in Southern's control centre as a result of the OBS not being available, and details of the alternative assistance provided.

You informed us that in total over a period of four months, 48 passengers were affected, and that all of these were able to complete their journeys. The information provided is set out in the table below.

Month	Trains fully covered ¹	Passenger assistance affected	Actions taken
February	96.5%	6 booked 1 unbooked	<ul style="list-style-type: none"> • 3 taxis provided • 1 member of staff travelled with the passenger • 3 alternative train journeys arranged
March	96.3%	2 booked 6 unbooked	<ul style="list-style-type: none"> • 2 taxis provided • 6 alternative train journeys arranged
April	97.5%	5 booked 6 unbooked	<ul style="list-style-type: none"> • 4 staff members sent to platforms to assist passengers off train • 4 alternative train journeys arranged • 3 taxis provided
May	97.2%	6 booked 16 unbooked	<ul style="list-style-type: none"> • 13 station staff assisted • 4 alternative train journeys arranged • 3 taxis provided • 2 on board supervisors² assisted passengers (un-booked assistance)

Analysis of enhanced monitoring data

The figures provided by GTR show that between 2.5% and 3.7% of services did not have an OBS available. That is significantly in excess of the initial estimate GTR provided us with of 0.06% of train services, which you had explained in a letter dated 8 November 2016 had been calculated using historic train performance relating to periods before the first RMT strike on 26 April 2016.

¹ Note: 'Fully covered' means trains with a second member of staff from origin to destination.

² OBS's working trains have also been asked to notify whenever they provide assistance that is not booked. This is logged and enables GTR to maintain a complete picture for monitoring and review.

On 24 April 2017 (following provision of data by GTR) we sent an email to GTR noting that a significantly higher number of services had run without an OBS than the original estimate of 0.06%. We asked whether:

- The higher than anticipated figures had led GTR to make any changes to the processes you had in place to provide assistance to passengers when there is no OBS on board; and
- If changes had been made, for GTR to confirm what they were, and if not, to set out why no changes have been necessary.

You said industrial action in February, March and April 2017 had impacted on OBS coverage as you consider that disruption creates the highest risk of an OBS being unable to join their rostered service. You confirmed that in light of these actual, rather than estimated figures, you had not made changes to the assistance processes set out above. You advised that this is because of the relative impact on train services and the relatively low numbers of passengers using the help points or freephone number to request assistance.

In parallel, we also note that an email from GTR dated 25 April 2017 explained that it had come to light that the original 0.06% figure was an error and should have been stated at 0.6%. However, we note that despite the higher than estimated incidence of non-availability of an OBS, GTR appears to have established appropriate systems and processes to assist passengers.

You also provided details of your own specific monitoring and evaluation processes that include mystery shopping, call backs to customers and analysis of individual complaints. You detailed the changes to your operating practices made on the basis of this information. These changes included:

- The introduction of an OBS shift co-ordinator at the Southern control centre at Three Bridges to ensure robust OBS coverage, particularly during times of disruption;
- The briefing of staff on OBS handover procedures; and
- The review of agency staff training requirements to ensure that staff at key locations had completed ramp deployment training.

This demonstrates that there are feedback mechanisms in place to change processes in the light of feedback from passengers and operational experience in this area.

Analysis of other data available to ORR

We compared the evidence above provided by GTR to other data available to us via our core data monitoring in the areas of accessibility and complaints handling. This allowed us to set the context, compare GTR's performance to the national average and cross-check to see if GTR was a significant outlier on any of the measures. This data is provided for GTR and is not available at the Southern brand level.

On accessibility, GTR as a whole (including Southern) received 44,615 booked assistance requests in 2016-17, which accounts for 3.7% of all booked assists made nationally. Therefore, the 19 passengers (19 of the 48) who had booked assistance that were

impacted by non-availability of an OBS equates to 0.04% of all GTR's booked assistance requests.

In respect of complaints data, in 2016-17, 1.2% of GTR's complaints were about accessibility issues (1,119 in total), down from 1.5% the year before. When normalised by journeys this shows GTR received 0.3 complaints about accessibility per 100,000 passenger journeys in 2016-17, the same as the national rate. The total number of accessibility complaints increased this year. However, as GTR experienced an increase in all complaint types, the proportion of complaints about accessibility issues has fallen slightly, and when normalised by the volume of passenger journeys remains in line with the national rate.

Finally, we also considered if data from our new research (which became available over the summer) was consistent with these overall findings, which it is.

Conclusion

The period of enhanced monitoring ended in May 2017 with final data received by us at the end of June. Our review and analysis of the evidence and information available during that period and since - including the findings from our recent research into the passenger assistance services operated by each train operator - has satisfied us that there is no need to extend it. We consider GTR has provided assurance that it has systems and processes in place to deliver passenger assistance in the context of its workforce restructuring on some Southern routes.

Our engagement in this area has prompted GTR to consider in detail how to make changes and clarifications to its processes to ensure passengers with disabilities continue to be able to access its services. Of particular note in this context is the establishment of an accessibility team within the Southern control centre to deal with assistance requests and liaise with OBSs.

We also note that over the summer period of peak annual leave and including incidents disrupting normal service (which included 3 strike dates: 10 July and 1st and 4th September) 98.79% of Southern trains on relevant routes were fully covered by an OBS in July, 98.18% in August and 98.55% in September.

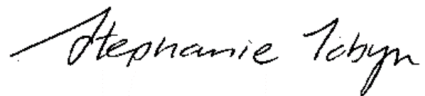
We continue to expect GTR, in common with all licence holders, to comply with its approved DPPP. In line with our published economic enforcement policy we will intervene should we identify serious or systemic failings in this area. We will continue to monitor assistance provision through our 'business as usual' monitoring as we do for Network Rail and all train operators, including via core data, complaints and our wide-ranging research programme.

We will shortly publish research into how the rail industry as a whole is delivering assistance to passengers including those that have pre-booked using the Passenger Assist reservation system as well as where that travel is spontaneous and not booked in advance. At the same time we will also publish a consultation paper to seek views on potential areas where there may be scope to deliver improvement for passengers. As part

of that we will consider the lessons learned here and how these may be relevant to the services provided by other train operators.

If it would be helpful to discuss any of the above further at this time please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink that reads "Stephanie Tobyn". The signature is written in a cursive, flowing style.

Stephanie Tobyn