

ORR Consumer Expert Panel

19 September 2018, 13.00-16.30

One Kemble Street, London



Agenda

13.00	Arrival: tea & coffee served
13.00 -13.10	Welcome and Introductions
13.10 -13.20	ORR Organisation Structure: An Update
13.20-13.45	Consumer Team update : Timetabling Inquiry, Ombudsman & Measuring Up
13.45-14.30	A Review of Organisational Complaint Handling
14.30 -14.45	Break: tea & coffee served
14.45-15.30	ORR's monitoring and economic enforcement policy for Network Rail in Control Period 6
15.30-16.15	DPMP Guidance – Update and emerging proposals
16.15 to close	Meeting Summary

ORR Organisation Structure: An Update

With current Chair, Professor Stephen Glaister stepping down at the end of 2018 ORR have appointed Declan Collier. Mr Collier has had a long career in Aviation and is expected to start work as Chair on 1 January 2019.

Joanna Whittington will also be leaving her role as ORR Chief Executive in October 2018. An interim appointment will be made in due course.

Consumer Team update

Timetabling Inquiry: Following the introduction of a new timetable in May 2018 which caused major disruption to passenger services in the North and South East of England ORR established an Inquiry, at the request of Government, into the factors that contributed to the failure to produce and implement a satisfactory operational timetable.

The Inquiry ran for three months and was conducted in addition to and alongside ORR's existing monitoring and investigation. Interim findings will be published on 20th September.

Ombudsman: Following the outcome of our 2017 consultation regarding changes complaints handling guidance a second consultation was published on 26 July on modifying licence condition 6 to make membership of the Alternative Dispute Resolution (ADR) scheme in the rail sector a mandatory requirement. The consultation closes on 20th September.

RDG have recently appointed an Ombudsman to manage the process for the Rail sector. ORR have confirmed they will continue to monitor implementation of the scheme.

Annual Consumer Report: 'Measuring Up' was published on 9th July. The report focused on four key areas - ticket retailing, assisted travel, passenger information and, complaints and redress – and provided an overview of the consumer teams work over the last year.

[A Review of Organisational Complaint Handling](#)

Queen Margaret University has been commissioned by ORR to conduct a critical review of complaint handling in regulated consumer sectors where there is an ombudsman scheme. The research identified best practice and learning points in complaint handling, from the communications, energy, finance and legal sectors, to inform how first-tier complaint handling can be improved in the rail sector.

The research highlighted that this was a particularly complex area for consumers as they have to negotiate the differences between all the different bodies that make up the rail industry before they can make a complaint successfully. The panel suggested the industry should define what the pre-conditions are to ensure that the Ombudsman scheme is to become a success.

Research also emphasised the importance in signposting consumer to the ADR Scheme at an early stage and that effective communication by staff can help to placate consumers throughout the complaints process.

The panel used their experiences of the Aviation and Water sectors to provide additional lessons that ORR could learn from. However, unlike the other regulated areas, ORR does not have direct responsibility for external redress schemes in the rail sector which brings an additional challenge.

Initial thoughts were that the rail industry shared a lot of similarities with the public sector and that lack of information or advertisement across rail industry suggested that complaints are not well received.

The panel suggested that train operating companies should ensure that their customer relations teams are appropriately resourced and that the companies' values in this area should be communicated clearly throughout the business.

Before the Ombudsman scheme goes live across the industry, the panel suggested that train operating companies should consider a way to clear their existing complaints backlog in order to ensure a smooth transition into the new scheme.

ORR's monitoring and economic enforcement policy for Network Rail in Control Period 6

Following publication of the Final Determination in October, ORR will consult on an updated monitoring and economic enforcement policy for Network Rail that takes account of the wider changes affecting our approach to regulation of Network Rail in Control Period 6.

The panel advised that it is important that ORR are not seen as a soft touch and consideration should be given to the different challenges each Network Rail route will face. Benchmarking each route had the potential to be hugely influential and could help ORR, and Network Rail, promote best practice.

The introduction of hearings was viewed positively by the panel. They suggested that ORR should encourage an environment where both train companies and Network Rail can voice concerns and discuss issues. However the panel highlighted also the challenges ORR would face if one company is more communicative than the other.

DPPP Guidance – Update and emerging proposals

ORR has continued to work with the rail industry, with disability charities and other interested organisations to discuss and scope out our proposals for reviewing Disabled People's Protection Policy (DPPP) Guidance and improving Assisted Travel services. This has included holding meetings with our Assisted Travel Advisory Group, and workshops with Network Rail and some train operators.

The panel offered detailed comments but were overall supportive of the proposals shared by ORR and shared the view that changes have to be made to ensure the needs of all passengers are met. However the panel were mindful that proposals by ORR should be ambitious but achievable.

A revised draft of the DPPP Guidance will be discussed by the ORR Board in September and October before this is consulted on more widely with passenger groups, industry and interested stakeholders in November. The new guidance for operators in this area is expected to be finalised in early 2019 and effective from April 2019

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