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Departures

Time	Destination	Platform	Expected
13:10	Cleethorpes via Doncaster	1B	Delayed
13:29	London St Pancras	5	On time
13:30	York Via Pontefract	2B	On time
13:36	Huddersfield	4A	On time
13:37	Norwich	8A	On time
13:40	Liverpool Lime St via Manchester Picc	7	On time
13:41	Bridlington	3A	On time
13:44	Lincoln Central	4A	On time

Page 1 of 2 Time now 13:24.47

Norwich & Nottingham
Calling at Grantham, Peterborough, Ely. (Heth) If Travelling Beyond Nottingham

8a

7

7

13:24:47

Platform
8a

S

4/5
Car stop



1. EXECUTIVE SUMMARY

1. The Office of Rail and Road (ORR) is the combined economic and health and safety regulator for the GB rail network and the economic monitor for England's strategic road network. One of our strategic objectives is to support better rail customer service.
2. Our consumer role is focussed on ensuring that we have a good understanding of the rail passenger experience in the consumer areas for which we have regulatory responsibility, can recognise success and good practice so that it can be shared more widely, and take prompt and effective action to improve the service that passengers receive where it is required. In particular, we focus on:
 - **Ticketing retailing** – information to enable passengers to make informed purchase decisions;
 - **Passenger information** – information to help passengers with journey planning, including when there is disruption;
 - **Assisted travel** – services for passengers who require assistance to make their journey; and
 - **Complaints and redress** – an effective service for handling complaints and redress.
3. This report illustrates the breadth and depth of our consumer work. Throughout the year, we have continued to seek the views of our **Consumer Expert Panel**¹ as we develop our policy work. We summarise our key activities designed to secure improvements to the service provided by rail companies to their passengers, highlight where progress has been made and where action has been necessary, and compare performance across companies. We also provide summary tables of our compliance activity, and for each of our consumer areas our next steps.

Ticket retailing

4. This year we completed our research² to help us understand the extent to which passengers are aware of, and understand, key ticket restrictions and terms and conditions (T&C) when buying and using tickets.
5. While it is encouraging that the participants appear to understand the basic terms and conditions that apply to their tickets, work is required to inform passengers of more detailed and specific terms and conditions. The results showed:

- 84% of respondents said they were familiar with the T&Cs.
- The relatively low cost of rail tickets did not merit spending time reading T&Cs.
- Language around season ticket T&Cs was confusing.
- Concerns around ambiguous language, particularly relating to fees for refunds.
- Uncertainty of where to find the T&Cs when buying the ticket.
- Off-peak ticket T&Cs had the lowest awareness overall.
- Advance tickets, that are not usually refundable, were perceived as unfair.

6. **We will now work with industry stakeholders to see how passengers' awareness and understanding of those terms and conditions, which were less well known and understood, can be improved. This will complement work already in progress across the industry such as proposals for fares reform.**

¹ <https://orr.gov.uk/about-orr/how-we-work/expert-advisors/consumer-expert-panel>

² https://orr.gov.uk/_data/assets/pdf_file/0005/40775/passengers-awareness-of-terms-and-conditions-2019-03-26.pdf

Passenger information

7. One of the findings of the ORR Inquiry into the May 2018 timetable disruption was that information provided by Northern and Govia Thameslink Railway (GTR) to its passengers was inadequate which meant that passengers were unable to plan and make their journeys with any certainty. As a result, we initiated a formal investigation into whether Northern and GTR on its Great Northern and Thameslink routes had breached their passenger information licence obligations in the lead up to and after the 20 May 2018.
 - Replacement buses were used on some routes but prolonged delays in providing information in journey planners meant many passengers were not aware that they were available; and
 - Inadequate internal communication often left frontline staff with little or no information to assist passengers in making their journey.
8. We undertook detailed and thorough investigations into both companies, which included substantial information gathering and analysis as well as meetings with the licence holders. For Northern, we found that the company was not in breach both before the timetable change on 20 May 2018 and in the period after.
9. Having considered substantial evidence, we found that GTR took reasonable steps in making passengers aware of the planned changes prior to the new timetable. However, following the timetable change on 20 May, and in the eight weeks that followed, it was evident that GTR failed to appropriately balance the steps it was taking to improve services with the need for passenger information to an unacceptable extent and duration. In particular:
 - Trains were permanently removed from the timetable but passengers were not clearly informed until several weeks later;
 - Further trains were removed or cancelled on a daily basis leading to very short notice changes to the timetable and a severe lack of certainty for passengers up until the point of travel;
 - Some trains were reintroduced but with insufficient time to input journey information into systems. These 'ghost trains' arrived at stations with staff and passengers unaware of their arrival or where they were expected to stop;
10. As a result, ORR fined GTR £5m for failing to provide appropriate, accurate and timely information to passengers following the introduction of a new timetable in May 2018.
11. Passengers often remain dissatisfied with how the rail industry performs when it comes to providing them with the information they need. Therefore, this year we commissioned research designed to put passengers at the front and centre of train companies thinking. **At the time of writing we are assessing the results but during the coming year we will work with train companies to implement the findings in the expectation that passengers will see real improvements in this area.**

Assisted travel

12. The licences we issue to station and train operators require them to establish and comply with a Disabled People's Protection Policy (DPPP), which we approve. We publish guidance on how they should write their policies, which requires them to set out their arrangements for providing assisted travel³ to passengers. Over the last year we have worked extensively, to further develop the initial proposals we made in 2017 to strengthen Assisted Travel and to revise the guidance. These proposals were based upon detailed research, which gave us a robust evidence-base to work from.
13. Securing improvement to the services received by disabled passengers is an important area of focus for us. This year we have engaged extensively with various stakeholders, held workshops, and carried out station visits to ensure we obtained a full picture of the relevant issues. Alongside the responses to the first consultation, this helped us to further refine our proposals.

³ Assisted travel includes assistance booked in advance with train companies via the Passenger Assist service, as well as assistance that has not been booked in advance but is provided 'on demand'.

14. In November, we published our detailed proposals to improve the experience of assisted travel and the provision of information to disabled passengers. We sought views on:

- Ensuring disabled people are involved in a meaningful way in the development and delivery of staff training and the development and review of policies.
- Improving the quality and reliability of assistance through better customer information provision at the journey planning and booking stages, and requiring a dedicated assistance line and handover protocol for station staff.
- Strengthening the content, delivery and frequency of staff training.
- Reducing the notice period for booking assistance from 24 hours to 10pm the day before or to 6 hours or 2 hours.
- Ensuring passengers that have booked assistance can easily obtain redress when things go wrong.
- Ensuring assistance can be provided under different modes of operation through effective risk assessment and mitigation, flexibility in service delivery and clear information.
- Revising, restructuring and renaming DPPP's so passengers understand what assistance options are available, how to obtain them, what to expect if things go wrong and where to get further information.
- Ensuring passengers know how to contact a member of staff at any station, either in person or remotely.
- Improving the communication tools capable of being used for booking assistance.
- Improving the service for passengers when rail replacement and alternative accessible transport is used.
- Ensuring clearer information is provided to passengers on the carriage of scooters and other mobility aids.
- Strengthening how companies consider assistance provision for passengers in different operating circumstances, focusing on staff availability.



15. Following review of responses to the consultation we will publish the final DPPP guidance shortly and proceed to approve train and station operators revised DPPPs later this year.

16. It is important that when passengers seek assistance they can be confident that it will be provided. Therefore, this year we have continued to monitor train companies performance via independent research with those passengers who have booked assistance to understand whether they received it and whether they were satisfied with it.

Company	Overall sample size	Received all assistance booked	Satisfaction with assistance at station	Overall satisfaction*
Chiltern Railways	100	80%	85%	79%
East Midlands Trains	171	78%	84%	81%
Govia Thameslink Railway	153	70%	83%	79%
Great Western Railway	570	76%	91%	89%
Greater Anglia	155	75%	87%	83%
London North Eastern Railway	495	79%	91%	89%
Northern	291	64%	76%	75%
ScotRail	226	76%	84%	83%
South Western Railway	170	69%	87%	85%
Southeastern	83	75%	82%	83%
TfW Rail	177	69%	83%	81%
TransPennine Express	150	79%	90%	89%
Virgin Trains West Coast	524	78%	91%	89%
West Midlands Trains	233	79%	90%	85%
Total/average for train operators	3,542	75%	87%	85%
Network Rail	1,426	76%	89%	86%
National/Average	4,968	76%	88%	85%

Notes:

*Satisfaction with the whole process from booking assistance to assistance received

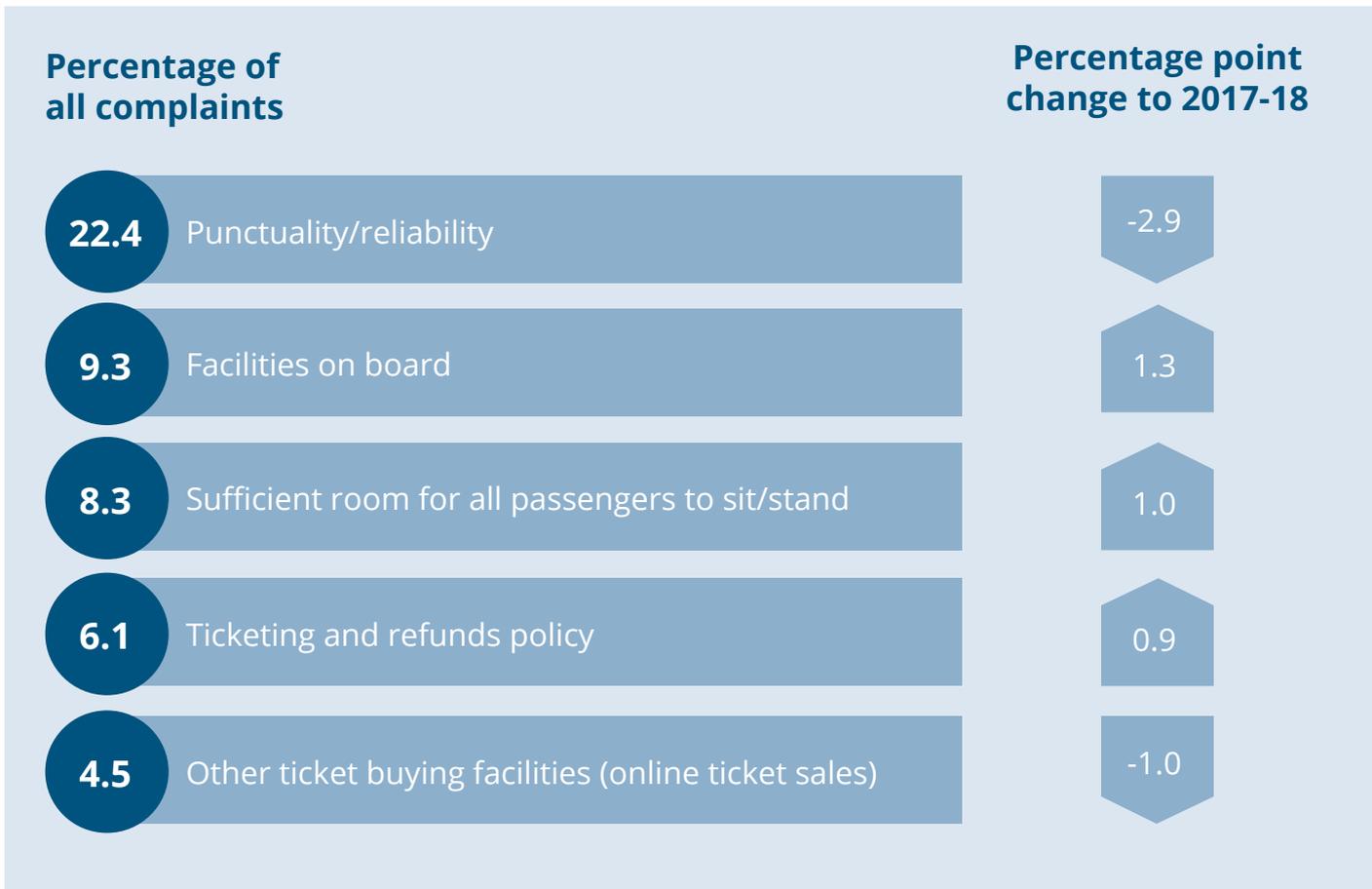
- TfW Rail took over the Arriva Train Wales franchise on 14 October 2018.
- London North Eastern Railways took over the Virgin Trains East Coast franchise on 24 June 2018.
- The following train companies are not shown due to low sample sizes: c2c (5 responses), London Overground (4 responses), Merseyrail (25 responses) and TfL Rail (10 responses).

17. **The results of the research above demonstrates clearly that train companies need to improve to provide the service passengers require.** We are pleased that two train companies – SWR and Northern - and Network Rail have agreed to take part in a trial of our proposed reliability safeguard measures designed to improve the reliability of Assisted Travel. These proposed measures seek to address a longstanding issue highlighted by both our Assisted Travel research and the research above, which has shown that systemic informational and communication issues as a result of established practices across the network can hinder staffs’ ability to provide assistance reliably at stations. **We will evaluate the results of the trial before determining whether to roll them out across the network.**

18. **We have published today our response to the Williams Review.** It asked ORR to consider what more can be done by rail operators to **improve accessibility** for all users, including disabled people, and whether more regulatory powers are required to ensure that it happens.

Complaints and redress

19. We have continued to focus on train companies complaints handling over the course of the year. There were 30.1 complaints per 100,000 journeys in 2018-19 for franchised train companies, and the figure of circa 530,000 complaints is a slight increase on the year before. Our data collection allows us to identify the main reasons for complaints and to see how this changes year on year. The table below shows that whilst it has fallen, punctuality/ reliability remains the main driver of complaints.



20. One of our key monitoring metrics is the requirement on train companies to respond to 95% of complaints within 20 working days. Where we see that companies are failing to meet their obligations, we have taken action to ensure that they return to compliance as soon as possible. Responding to failure, and making changes to sustain improvement, are key ways train companies can demonstrate that they are learning from their experience.

CASE STUDY – VIRGIN TRAINS (VT) – IMPROVING AND SUSTAINING PERFORMANCE

In 2017/18 VT was unable to meet its requirements to respond to 95% of complaints within 20 working days in 10 rail periods. As a result, ORR sought a detailed plan for returning to compliance, met with the company, and carried out an audit of processes.

Following this, VT undertook a full and detailed review to establish where improvements could be made centred around three key areas: people; process; and technology. This led to a recruitment drive to ensure the Customer Resolutions Centre (CRC) was better resourced with staff with the right skills, attitude and experience supported by a structured training programme and accreditation process.

The CRC was restructured and KPIs identified to maximise and develop performance management opportunities. Leadership roles were clearly defined so all understood what good looked like and where they could make the positive difference by focussing on the accountabilities of their own roles and leading others towards achieving the overall vision.

Finally, VT introduced a new, user friendly and innovative Customer Management System. This gives richer and more accurate data, and allows more effective planning by targeting resource to keep customer wait times short.

The improvements VT has introduced has enabled it to meet the 95% requirement on complaint handling for 15 consecutive periods.



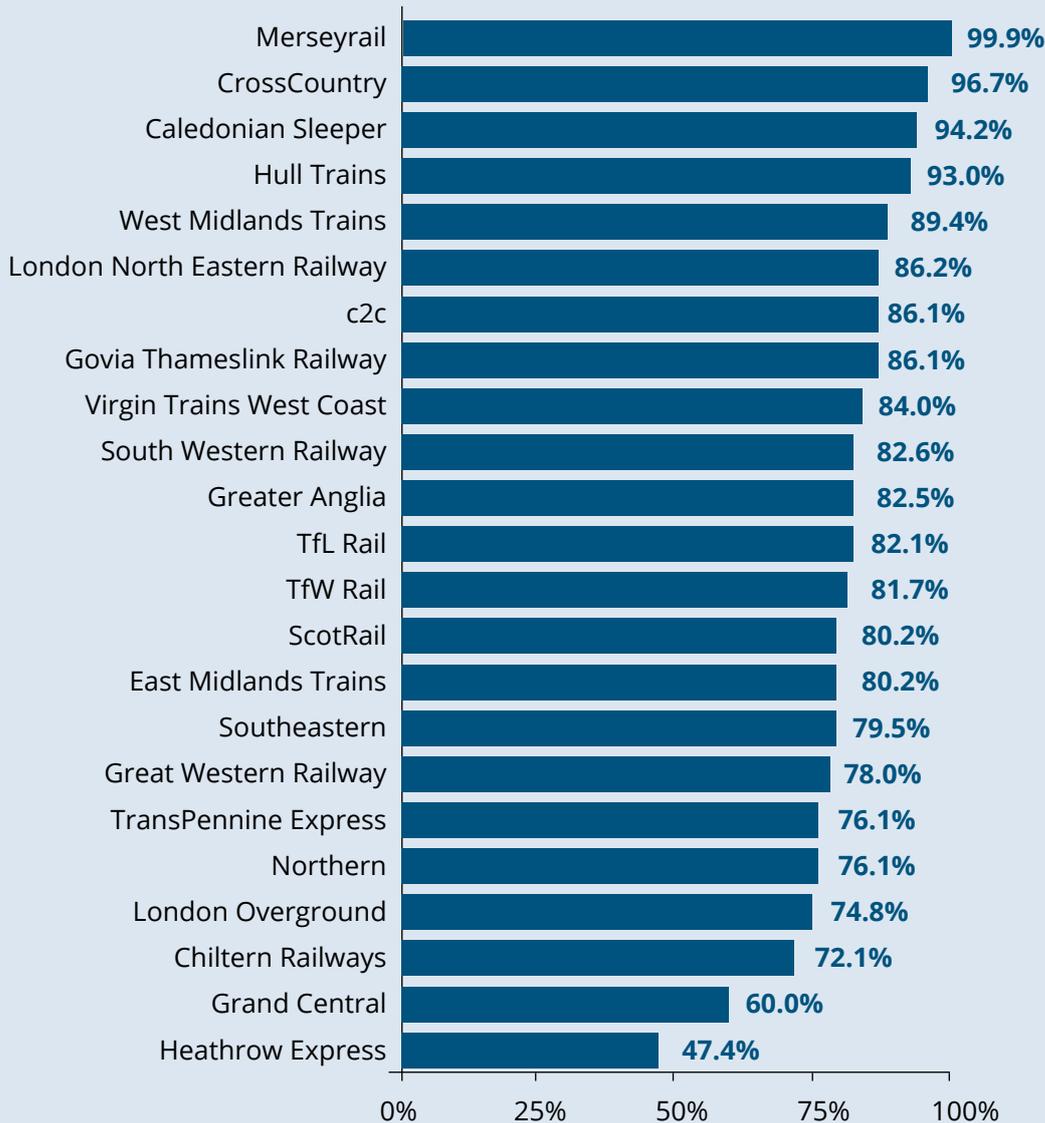
⁴ <https://www.railombudsman.org/>

- 21. The introduction of the **Rail Ombudsman**⁴ by the industry in November was a welcome step and an acknowledgement that more needed to be done to restore trust in the industry. This was the culmination of a coordinated effort by the Rail Delivery Group, Transport Focus, London TravelWatch, Department for Transport (DfT), and ORR to create the new scheme.
- 22. During the course of the year we consulted upon making membership of the Rail Ombudsman a requirement in licence. This is necessary to ensure that passengers continue to have long-term certainty that they can access a free, independent and binding means of redress. We welcome licensees' acceptance of this licence change. **We now look forward to working with the Rail Ombudsman**

and train companies to ensure that the ombudsman arrangements deliver high quality information and drive improvements in complaints handling.

- 23. Over the last 12 months we have, for the first time, been able to draw upon new enhanced monitoring data for **delay compensation**. This has enabled us to focus on those train companies who are unable to deal with claims for compensation in a timely manner. It is clear from our analysis of data that some companies are able to process claims more efficiently and we have taken action where failure to do so has been identified. As the table below illustrates, there is a clear difference in the performance of train companies in approving, and rejecting, delay compensation claims.

Percentage of delay compensation claims approved by train company, Great Britain, 2018-19



24. We have also carried out a review of the proportion of due compensation that had been paid to passengers (the difference between due and paid compensation is sometimes referred to as the 'compensation gap') based on the evidence on the compensation gap that has become available since we published our 2017 Measuring Up report. The evidence suggests that the proportion of compensation that is paid has remained fairly steady over this period. Whilst survey evidence (for Delay Repay 30 schemes) published by DfT/Transport Focus in October 2018⁵ suggests a moderate rise in compensation payments over 2016 levels, our own analysis of train company payout and performance data (**based on different criteria and methodology**) suggests a marginal decline since 2016-17. **It remains the case that a substantial proportion of potential payments go unclaimed, and as such that there is more work to be done in this area.**
25. **We have published today our response to the Williams Review.** It asked ORR to consider what more can be done to make it easier for customers to access the **compensation** they are entitled to, advise on what more could be done by rail companies to improve this, and whether more regulatory powers are required to ensure that it happens.



⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751380/rail-delays-and-compensation-report-2018-revised.pdf

Table 1: Summary of ORR engagement on consumer issues with licence holders

The following table outlines our engagement on consumer issues to ensure compliance by licence holders from April 2018 to date.			
Area	Issue	Operator	Action/outcome
Complaints Handling	Responding to 95% of complaints within 20 working days	SWR	Proactive contact from SWR to explain short period of non-compliance. ORR monitoring. Returned to compliance.
		LNER	Proactive contact from LNER contact to explain short period of non-compliance. ORR monitoring. Returned to compliance.
		TfW Rail	Proactive contact from TfW to explain short period of non-compliance. ORR monitoring. Returned to compliance.
		Northern	Letters to Northern seeking explanation and detailed recovery plan ⁶ , face to face meeting at ORR, and enhanced monitoring initiated by ORR. Returned to compliance.
		TPE	Proactive contact from TPE - recovery plan provided. Enhanced monitoring initiated by ORR. Returned to compliance.
		Hull Trains	Letters to Hull Trains seeking explanation and detailed recovery plan ⁷ , face to face meeting at ORR, and enhanced monitoring initiated by ORR.
		London Overground	Recovery plan sought by ORR, and enhanced monitoring initiated. Returned to compliance.
		Network Rail	Face to face meeting at ORR, and enhanced monitoring voluntarily initiated by NR.

⁶ <https://orr.gov.uk/rail/licensing/licensing-the-railway/complaints-handling-procedures>

⁷ <https://orr.gov.uk/rail/licensing/licensing-the-railway/complaints-handling-procedures>

Area	Issue	Operator	Action/outcome
DPPP	Carriage of assistance dogs	Eurostar	Trial underway.
	Document produced for station staff to ensure safe and punctual departure of trains	GTR	ORR sought clarification on a number of issues. GTR revised its 'pit stop' document and gave assurances that the document does not represent a change in the way passengers are assisted with their rail journeys. ⁸
	Accessibility of rail replacement bus services	GTR	ORR sought assurances that rail replacement services during planned disruption on Brighton mainline were accessible, and clarification on arrangements in place on routes without accessible buses. Confirmation received from GTR.
	Accessibility of the Intercity High Speed Trains temporarily introduced into service	Hull Trains	ORR sought clarification regarding the provision of assistance when an HST temporarily replaces the usual Class 180 train. Assurances received and DPPP reviewed and updated.
	Provision of assistance	Network Rail	Station visit to clarify how assistance and information is provided at mainline station.
	Provision of booked assistance	Northern	Letter ⁹ to Northern regarding the levels of reliability and plans for improvement. Explanation received and follow up meeting to be held.
	Provision of booked assistance	SWR	Letter ¹⁰ to SWR to regarding the levels of reliability and plans for improvement. Explanation received and follow up meeting to be held.
	Carriage of mobility scooters	Northern	Engagement to secure revisions to the mobility scooter policy to ensure that, where it is safe to do so, mobility scooters can be carried within the constraints of train design and station facilities and infrastructure. ¹¹ Revised policy published in February.
	Provision of assistance	GWR	ORR queried the provision of assistance to passengers at Goring & Streatley and other accessible stations on routes where station staff may not be present, to assess whether this was compliant with its DPPP. GWR now plans to introduce mobile staff based at Reading and surrounding stations to provide assistance.

⁸ Further details can be found on the ORR website: <https://orr.gov.uk/news-and-media/press-releases/2018/gtrs-response-to-issues-raised-over-pit-stop-document>

⁹ https://orr.gov.uk/_data/assets/pdf_file/0018/40842/letter-to-northern-re-dppp-compliance-190326.pdf

¹⁰ https://orr.gov.uk/_data/assets/pdf_file/0019/40843/letter-to-swr-re-dppp-compliance-190321.pdf

¹¹ Our letter of 14 September 2018 to Northern regarding this and other consumer issues is available on the ORR website: https://orr.gov.uk/_data/assets/pdf_file/0015/39102/letter-to-northern-condition-6-of-station-licence-and-snrps-passenger-2018-09-14.pdf

Area	Issue	Operator	Action/outcome
Consumer rights	Potentially misleading information	Eurostar	Processes changed following ORR contact.
	Processing compensation claims within one month of receipt	Hull Trains	Letter ¹² to Hull Trains seeking reasons for the performance shortfall and improvement plan. Improvements made in case closure timescale – ORR monitoring continues.
		SWR	Letter ¹³ to SWR seeking reasons for the performance shortfall and improvement plan. SWR identified inaccuracies in its reporting and resubmitted data.
		TPE	Letter ¹⁴ to TPE seeking reasons for the performance shortfall and improvement plan. TPE initiated a face to face meeting to discuss plans. Improvements made in case closure timescale.
Area	Issue	Operator	Action/outcome
Passenger information	Compliance with requirements of Licence Condition 4	GTR	Investigation ¹⁵ into whether licence conditions were breached in the pre and post 20 May 2018 timetable change. Decision – breach and penalty of £5m.
		Northern	Investigation ¹⁶ into whether licence conditions were breached in the pre and post 20 May 2018 timetable change. Decision - no breach.
	Overrunning engineering work at Wimbledon 19 November 2018	SWR	Letter ¹⁷ to SWR seeking results of review and learning points. Face to face meeting held. ORR satisfied with SWR response.

¹² <https://orr.gov.uk/rail/consumers/what-we-do-for-consumers>

¹³ <https://orr.gov.uk/rail/consumers/what-we-do-for-consumers>

¹⁴ <https://orr.gov.uk/rail/consumers/what-we-do-for-consumers>

¹⁵ <https://orr.gov.uk/rail/investigations-and-current-issues/investigation-into-gtr-and-northern-trains-provision-of-information-to-passengers-during-and-after-the-may-2018-timetable-disruption>

¹⁶ <https://orr.gov.uk/rail/investigations-and-current-issues/investigation-into-gtr-and-northern-trains-provision-of-information-to-passengers-during-and-after-the-may-2018-timetable-disruption>

¹⁷ <https://orr.gov.uk/rail/consumers/licence-obligations-to-consumers/passenger-information-during-disruption>

Table 2: Summary of ORR next steps in 2019-20

Area	ORR next steps	Timing
Ticket retailing	We will work with industry stakeholders to improve the prominence, clarity and understanding of key terms and conditions .	Ongoing
Ticket retailing	We will take steps to raise passenger awareness via social media and ORR's website on key terms and conditions and passenger rights.	Ongoing
Ticket retailing	We will work with the DfT in the light of the decision not to renew the exemption to the Rail Passenger Rights and Obligations Regulations .	Ongoing
Passenger information	We will publish the results of our passenger information research , and work with train companies to implement the findings.	Summer 2019
Passenger information	We will publish the results of our second review of the informed traveller principles monitoring and update the regulatory statement to take into account the informed traveller principles.	Summer/ Autumn 2019
Passenger information	We will work with RDG to ensure industry has a stretching strategy for customer information, has revised its code of practice and is delivering a minimum standard across the network.	Ongoing
Passenger information	We will follow-up responses from train companies on their service recovery framework, crisis management plans and contingency plans.	Summer 2019
Assisted travel	We will publish revised DPPP guidance and set out a timetable for submission of revised policies for ORR approval.	July 2019
Assisted travel	We will publish additional guidance for operators of heritage railways, trams that run on the national network, and single stations.	Spring 2020
Assisted travel	We will establish a regular forum with disabled people's organisations , to include users of assisted travel, to consult on accessibility issues.	Autumn 2019
Assisted travel	We will take forward any further work on accessibility resulting from ORR's submission to the Williams Review .	Ongoing
Complaints and compensation	We will publish and present our research on reviewing complaints handling in other regulated sectors where they have an ADR scheme.	Summer 2019
Complaints and compensation	We will work with RDG, the Rail Ombudsman, smaller train companies and station operators to agree a timetable to join the Rail Ombudsman .	Ongoing
Complaints and compensation	We will undertake further analysis of delay compensation data , with a focus on the difference in performance in relation to rejection rates	Autumn 2019
Complaints and compensation	We will take forward any further work on delay compensation resulting from ORR's submission to the Williams Review .	Ongoing



First
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Liverpool

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2. INTRODUCTION

26. This is our fourth Annual Consumer Report, which, as in previous years, focuses on the four main areas of our passenger facing work:
- **Ticket retailing** – the provision of clear, accurate and complete information about fares and tickets, so that passengers can make informed decisions when choosing, buying and using rail products.
 - **Passenger information** – the provision of appropriate, accurate and timely information about services, so that passengers can plan and make their journeys with a reasonable degree of assurance, including when there is disruption.
 - **Assisted travel** – the ability for passengers who require assistance to make their journey easily and confidently, whether those journeys are made on a 'turn-up-and-go' basis or where assistance has been booked in advance.
 - **Complaints and redress** – the provision of an easily accessible, effective and efficient complaints and redress service.
27. The first part of this report sets out what we have done in each of these areas over the last year, and covers both our day-to-day monitoring and compliance activity together with the work we do to improve service quality and raise standards. It includes examples of our interventions as well as tables that show how train companies have performed relative to each other in a number of areas, notably around the provision of assisted travel, complaints handling, and for the first time compensation.
28. The second part of this report, published as a separate annex, consists of links to individual data sheets, which provide information on each train company's individual performance across a range of key indicators, between April 2018 and March 2019.
29. We have created some interactive tools on our website to provide access to additional historical data where it is has not been possible to include it here. These can be found at: <http://orr.gov.uk/rail/consumers/annual-rail-consumer-report>.

Background

Our role

30. The Office of Rail and Road (ORR) is the combined economic and health and safety regulator for the GB's rail network and the economic monitor for England's strategic road network. With regard to rail passenger services, which are the subject of this report, the vast majority of these are provided by train companies under franchise agreements with government. These agreements specify many of the obligations and service standards that train companies are required to deliver and are overseen by government.
31. Our work derives from the licences we issue to train companies and Network Rail and from our powers and responsibilities under consumer and competition law. As a result, our passenger facing work is focused on four areas outlined above. Three of these, passenger information, assisted travel, and complaints handling, are the subject of conditions in the licences we issue¹⁸, while our interest in ticket retailing stems from our consumer law powers¹⁹.
32. We are not responsible for setting fares, awarding or monitoring franchises, or for setting the level of public subsidy in the railways – these are the responsibility of government. Nonetheless, we work closely with the DfT, Transport Scotland, and the Welsh Government, as well as passenger and consumer bodies, such as Transport Focus and London TravelWatch.

¹⁸ <http://orr.gov.uk/rail/consumers/licence-obligations-to-consumers>

¹⁹ <http://orr.gov.uk/rail/consumers/consumer-law>

Our approach

33. Our approach to regulation is based on a process of **monitoring, analysis, and engagement**, which enables us to identify issues and take appropriate and proportionate action where necessary. Key to this approach is the collection of data on key performance indicators. Over the last year we have continued to work with train companies to enhance the breadth, depth and quality of this data.
34. To support our monitoring activities we undertake purposeful and targeted consumer research. This, and the collection and analysis of key data, helps to ensure that we have a clear and robust evidence base to identify issues and support our interventions. Publication of this data, particularly where it is possible to compare relative performance, also helps provide an incentive on companies to make improvements.
35. Where improvements are not forthcoming, or are not likely to be delivered in a timely manner, we take prompt and effective **compliance and enforcement** action. We have a range of tools at our disposal, depending on the seriousness of the issue and what is proportionate in the circumstances. This generally involves engagement with the company or companies concerned and can also include targeted reporting, establishment of corrective actions plans, audits, and ultimately, enforcement action. Where appropriate we are transparent in the action we take, and there are a number of case studies throughout this report that reflect this approach.

Role and work of ORR's Consumer Expert Panel²⁰

To support our work we draw upon the breadth of knowledge and experience provided by an independent Consumer Expert Panel. The Panel operate in an advisory role to review and inform ORR's policy making and research. It provides cross-sectoral insight into consumer behaviour and economics and the application of this in a variety of regulated environments. In the last year the Panel has advised ORR's work in a wide variety of areas including: the market review of compensation claims companies; the DPPP guidance review; the monitoring and enforcement policy for Network Rail in CP6; and the market study into TVMs and automatic ticket gates.

²⁰ <http://orr.gov.uk/about-orr/how-we-work/expert-advisors/consumer-expert-panel>

Consumer landscape

Introduction

36. Over the last 12 months there have been a number of activities in the rail sector which have, and continue, to impact on rail passengers and ORR. We have summarised these below.

Independent Inquiry into the Timetable disruption in May 2018

37. In May 2018, the introduction of a new national timetable for large parts of Britain's railway network caused major disruption to services for passengers, especially in the North of England and in the South East. Many passengers travelling on Northern and GTR networks within these regions were severely disrupted and passengers on many other networks also suffered knock-on disruption to their services as a result.
38. In June 2018, at the request of the Government, ORR established an Inquiry into why the railway system as a whole failed to produce and implement a satisfactory operational timetable in May 2018.
39. We made recommendations in two phases:
- Our **Phase 1**²² report published on 20 September found that the difficulties endured by passengers were the result of poor communication within the industry, a perception that no one was in overall control of decision-making, and a failure to put passengers at the heart of decision-making.
 - In our **Phase 2**²³ final report, we recommended that the interests of passengers are put at the heart of key decisions for major rail projects, and that the industry work together to improve how information is provided to passengers. We also set out how this could be achieved.

Williams Review

40. The Williams Rail Review was established in September 2018 to look at the structure of the whole rail industry and the way passenger rail services are delivered. The review's findings and recommendations will be published in a Government white paper due later this year. ORR has engaged with the Williams Review team from the outset and are working to consider the options and recommendations that it will develop over the second six-months of its work.
41. In February 2019, Keith Williams asked ORR to provide submissions to his wide-reaching review of the UK rail sector, focussing specifically on the issues of accessibility and compensation:

"As part of [the issue of passenger trust] we need to do more on making it easier for customers to access the compensation they are entitled to and improving accessibility for all users, including disabled people. I've asked the ORR to advise me on what more could be done by rail operators to improve this, and whether more regulatory powers are required to ensure that it happens. They will report back within the timescale of the Review recommending action to help transform compensation and accessibility across the network."

42. To develop our understanding of the current situation in the rail industry, and best practice elsewhere, we have engaged expertise from within ORR, the broader rail industry, and beyond. We have published today our response on these two issues to the Williams Review

²¹ For further information about the Timetabling Inquiry, see ORR's website at – <https://orr.gov.uk/rail/consumers/inquiry-into-may-2018-network-disruption>

²² https://orr.gov.uk/_data/assets/pdf_file/0018/39042/inquiry-into-may-2018-timetable-disruption-september-2018-findings.pdf

²³ https://orr.gov.uk/_data/assets/pdf_file/0010/39916/inquiry-into-may-2018-timetable-disruption-december-2018-report.pdf

The Consumer Forum

43. The creation of the Consumer Forum,²⁴ chaired by the Minister for Consumers and Corporate Responsibility, was announced in the government's *Modernising Consumer Markets* Green Paper²⁵. The Forum's aim is to enhance collaboration and coordination between Government and regulators to improve consumer outcomes. It brings together Chief Executives from the economic regulators (including ORR), the Financial Conduct Authority, and the Competition and Markets Authority, with ministers from their respective sponsor departments. The intention is that the Forum will strengthen how these organisations collectively interact to address issues that arise across sectors and where both Government and regulators could act.

United Kingdom Regulators Network

44. The United Kingdom Regulators Network (UKRN)²⁶ brings together regulators (including ORR) from the utilities, transport, financial, health, and legal services sectors. The network aims to share expertise to help make regulation work well for consumers and the economy. Established by regulators in 2014, it has developed strong relationships and a culture of collaboration and learning and through the UKRN, regulators work together to share knowledge, explore cross-cutting issues and build better ways of working. The UKRN has committed to undertake some work in response to the Green Paper such as sharing best practice to protect interests of vulnerable consumers.
45. The UKRN's fourth annual conference held on 24 April 2019 focussed on the theme of "Data, Innovation and Vulnerable Consumers" – bringing together regulators with Government and stakeholders to explore the challenges that the ever-changing technological landscape has on consumers, especially the most vulnerable in our society.

²⁴ For further details about the Consumer Forum see – <https://www.gov.uk/government/groups/consumer-forum>

²⁵ For further details about the green paper see – https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/699937/modernising-consumer-markets-green-paper.pdf

²⁶ For further details about the UKRN, see – <https://www.ukrn.org.uk/>

3. OUR PASSENGER WORK

3.1 Ticket retailing

Introduction

46. It is important that passengers get good information when choosing, buying, and using rail tickets so that they can make informed decisions. Train companies, like companies in other sectors, are subject to consumer law which requires, among other things, that they provide passengers with the information they need and do so in a way that is clear and timely.
47. The following sets out the work we have done over the last year to help improve the information that is provided to passengers when purchasing tickets, including at ticket vending machines (TVMs) and online.

Commitments from last year

48. In last year's Measuring Up report we set out a number of actions we intended to take during the course of this year. A summary of what we did in relation to these is set out below.
 - On **TVMs**, we have enhanced our data collection to enable us to monitor TVM complaints and passengers making claims under the TVM price guarantee. This data is due to be published as part of our core data monitoring.
 - On **train company websites**, we have now received from RDG the findings of its audits conducted in February 2019, and will review the results to identify any areas where further action may be needed.
 - On **key ticket restrictions and terms**, we commissioned research to help us understand the extent to which passengers are aware of, and understand, these when buying and using tickets. We summarise the findings and our next steps in this chapter.

Terms and conditions research

49. One of ORR's key roles in this area is to secure compliance with consumer law to help ensure that all rail users get the service to which they are entitled. These include a requirement on train companies to provide consumers with the information they need to make informed choices for example when buying and using train tickets, and to have terms and conditions (T&Cs) that are fair and transparent (written in plain and intelligible language).
50. Following up on findings of our TVM mystery shopping work and our website audit (noted in last year's report) which both suggested that key ticket restrictions and terms are not always suitably prominent, we commissioned research to help us understand the extent to which passengers are aware of, and understand, these when buying and using tickets.
51. The research²⁷ involved an online survey with the public who had travelled on the national rail network within the previous nine months. This was followed by four focus groups with the public who had travelled on the national rail network within the last six months with around eight participants in each group. The key findings showed:
 - 84% of respondents said they were familiar with the T&Cs.
 - The relatively low cost of rail tickets did not merit spending time reading T&Cs.
 - Language around season ticket T&Cs was confusing.
 - Concerns around ambiguous language, particularly relating to fees for refunds.
 - Uncertainty of where to find the T&Cs when buying the ticket.
 - Off-peak ticket T&Cs had the lowest awareness overall.
 - Advance tickets, that are not usually refundable, were perceived as unfair.

²⁷ https://orr.gov.uk/_data/assets/pdf_file/0005/40775/passengers-awareness-of-terms-and-conditions-2019-03-26.pdf

52. Since publication of the results in March 2019, we have met with key industry stakeholders to discuss the findings and to start to identify steps to help improve the prominence and clarity of key terms and conditions. We will take this work forward further over this year.

Consumer Rights Act

53. Following industry changes to the National Rail Conditions of Travel to reflect the Consumer Rights Act (CRA) 2015 in March 2018, we wrote to train companies to ask what steps they had taken to ensure that the information provided to passengers reflected those changes. The consumer organisation Which? subsequently carried out a mystery shop of train company websites and call centres. In the light of these results, we reviewed what train companies had told us in response to our letter about the actions they had taken (or intended to take) and wrote to train companies to highlight good practice, outline our remaining areas of concern and to set out next steps.

54. We have now carried out a further audit of websites, and are taking forward the results with individual train companies where improvements to the clarity and prominence of the information available to passengers about their rights under the CRA is needed.

Third-party intermediaries

55. We have recently been undertaking a market review into the case for a greater role for delay repay compensation claims companies known as third-party intermediaries (TPIs). The focus of our market review is on both the benefits that TPIs generate for passengers and the potential risks that they might carry.

56. TPIs act as an interface between passengers and train companies for the purposes of claims made under passenger delay compensation schemes. We are looking at the potential role TPIs could play in bringing innovation to the market, raising awareness of delay repay compensation schemes and assisting passengers by making it easier for them to claim. We are considering whether TPIs might help to drive up claim rates amongst passengers.

57. We are also looking at potential risks that TPIs might carry; notably the possibility for increased incidence of fraud, lack of transparency over fees, and, issues around the secure handling of passengers' money. The results of the review have been published today as an annex to our response to the Williams Review.

European Legislation

58. We have continued our role as National Enforcement Body (NEB) for Regulation 1371/2007/EC (Rail Passengers' Rights and Obligations Regulation (PRO)), including participating in the European Commission's annual meeting for NEBs. We have provided comments to the DfT on amendments proposed by the European Parliament as part of the 'recast' of the Regulation. We have also worked with the DfT to understand the implications for the regulation of Great Britain exiting the European Union.

59. The current exemptions for domestic services in relation to the PRO will fall away in December 2019 and the Rail Minister has decided that these will not be renewed. As NEB for the PRO, we are in dialogue with the DfT and RDG to discuss any actions such as changes to licensing arrangements which may be required as a result of the Rail Minister's decision.

Next steps

This year we will:

- work with industry stakeholders to identify and implement ways in which the prominence, clarity and understanding of **key terms and conditions** can be improved;
- take steps to **raise passenger awareness** via social media and ORR's website on key terms and conditions and passenger rights for example to compensation; and
- work with the DfT following the decision not to renew the exemption to the **Rail Passengers' Rights and Obligations Regulation**, and take forward any changes to train and station operator licensing arrangements which may be necessary as a result of the decision.

3.2 Passenger Information

Introduction

60. In all licences, there is a condition relating to passenger information so that passengers can plan and make their journeys with a reasonable degree of assurance, including when there is disruption. We have previously published Regulatory Guidance²⁸ to support this licence condition by giving more information about what is expected from licence holders and how the condition it will be enforced.
61. We have continued to focus on the quality of information passengers receive about their rail service. The following section reports on activity in this area over the last year.

Commitments from last year

62. In last year's Measuring Up report we set out a number of actions we intended to take during the course of this year. A summary of what we did in relation to these is set out below.
- We expected to **publish revised regulatory guidance**, but held this in abeyance pending the outcome of the investigations into whether GTR and Northern complied with their passenger information obligations (summarised in further detail later in this chapter). We will take this forward this year.
 - We have conducted **website checks of the information provided in advance of major planned disruption** such as the Brighton Main Line Project.
 - We have been able to **review all the local plans** published by train companies this year and have provided feedback on each. Where possible, we have tried to note best practice and use this to inform our feedback processes for the benefit of the whole industry.
 - We have initiated work on the extent to which the **Code of Practice on the provision of Customer Information** is influencing and supporting how companies are operating. We have met

with those involved in their delivery to discuss the benefits and limitations and have undertaken independent research into this area (summarised in further detail later in this chapter). Feedback from the reviews will be used to inform the RDG review of its code of practice that is taking place in 2019.

Timetabling issues

63. We set out in last year's report that the Network Rail System Operator (SO)²⁹ had made changes to the way that short-term changes to the timetable were made. This meant that some train times would not be confirmed until six weeks in advance of the date of travel, rather than the usual 12 weeks (known as the "Informed Traveller" timescales). We wrote to train companies to clarify our expectations for compliance with the licence under three broad principles we expected them to follow while the online timetables for passengers remained unreliable and potentially subject to late change. We monitored websites against these principles, and wrote to train companies to set the main areas of concern identified in our monitoring prior to publishing the results.
64. We asked train companies to identify the blockers preventing them from giving passengers the information they needed to plan and make their journeys with a reasonable degree of assurance. Responding to our letter, some train companies referred to a lack of functionality on the third-party ticket engines, provided by Trainline or Worldline respectively, that they used on their websites. We subsequently met with train companies to set out our expectation that all reasonably practicable steps should be taken to ensure that warning information in the event of unconfirmed timetables, and information relating to both planned and unplanned disruption, is provided to passengers. In response to our request, train companies provided details of the improvements that would be made together with a timescale for doing so.

²⁸ https://orr.gov.uk/_data/assets/pdf_file/0015/4353/information-for-passengers-guidance-on-meeting-the-licence-condition.pdf

²⁹ The centrally based system operator function within Network Rail covers activities such as timetabling, capacity allocation and long term planning.

65. Alongside our action with train companies, we reminded Trainline and Worldline that as third-party resellers of tickets, they have responsibilities under consumer law for which ORR has enforcement powers. We noted in particular the lack of warning information about trains which were known to be unconfirmed and had been marked as such on the National Rail Enquiries (NRE) website.
66. Our extensive exchanges of correspondence with train companies and third-party retailers have been published on the ORR website.³⁰
67. We have recently completed a further monitoring exercise to see whether improvements have been made and the extent to which the principles are being met. We are now collating the results of our review and will publish a report setting these out and any further steps which may be appropriate.
68. In March 2019, the SO announced that the industry (except GTR) has been able to return to the standard T-12 timescales for publishing timetables (GTR has made progress and is now

at T-9). However, we believe that most of our principles still reflect good practice (or existing industry initiatives) and we will continue to expect train companies to follow them. We intend to revise our Regulatory Guidance this year to include the principles.

Monitoring and insight

69. Over the course of the last year, we have continued to proactively monitor train company websites. Where we identify problems with incorrect, inaccurate, or unclear information we take prompt action, getting in touch with the relevant Passenger Information During Disruption (PIDD) contacts in the train company so that changes can be made quickly. We also welcome initiatives undertaken by individual train companies to improve passenger information. We have highlighted such improvements on the train company data sheets in the appendices to this document.
70. We also examine specific issues that come to our attention including following major incidents.

South Western Railway (SWR) – overrunning engineering work at Wimbledon 19 November 2018

We routinely review incidents on the network that have a high passenger impact. An incident on Monday 19 November 2018 when engineering work overran in the Wimbledon area is in this category.

Whilst such high impact events occur relatively rarely, it is important that when they do they are reviewed and any lessons are learnt. A committed industry action (PIDD-31) makes provision for routine reviews of Customer Service Level 2* incidents focussed on customer impact and this is a commitment that SWR makes in its PIDD local plan.

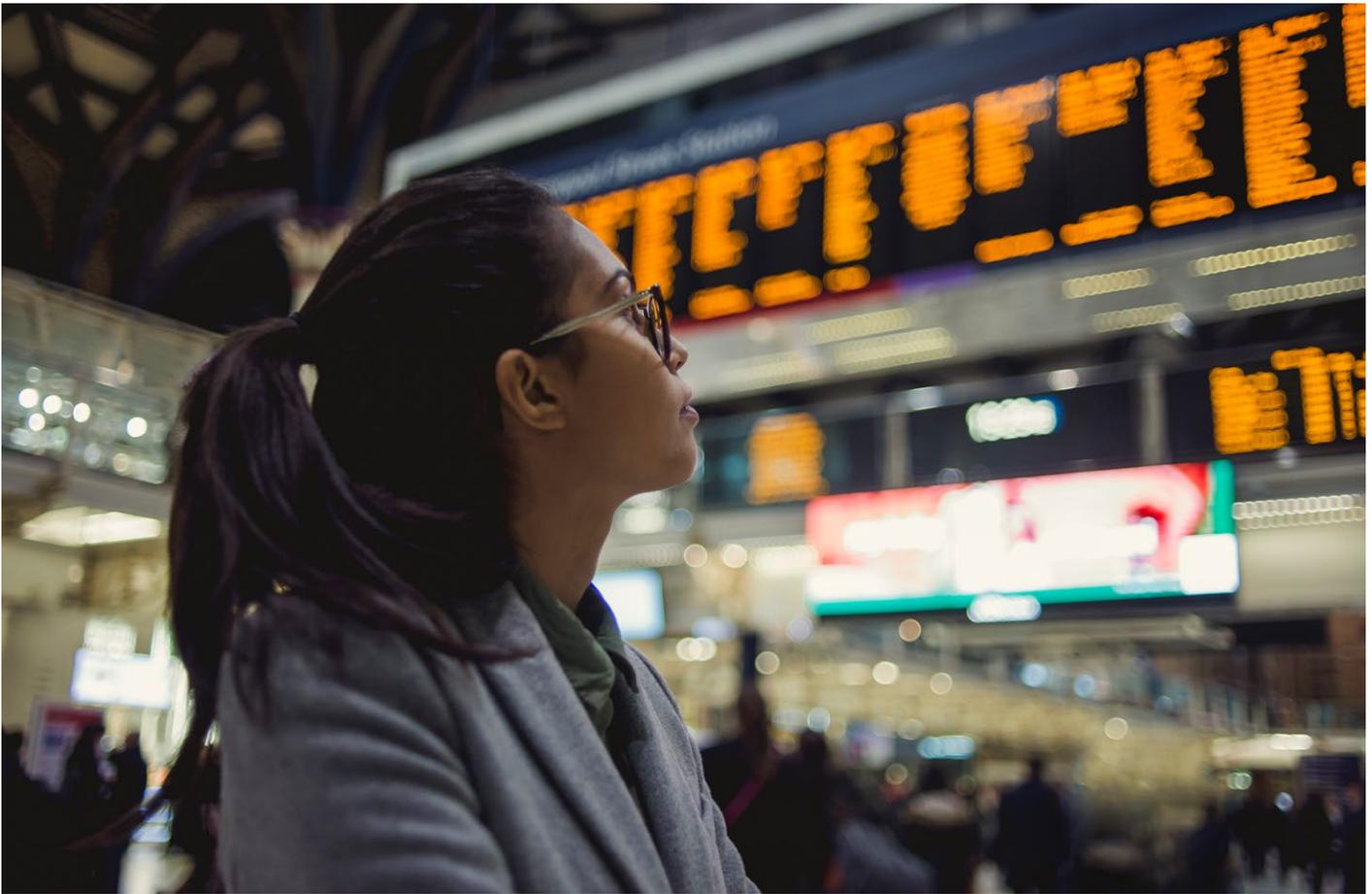
We wrote to and subsequently met with SWR. We asked to see the results of any review that SWR has carried out about this incident, showing its conclusions and learning points for the future. We were particularly interested in the impact on its passengers, including those travelling through London Waterloo, and how it planned to improve their experience in future as a result.

We also wanted to understand how the learning points from this and other reviews are tracked by SWR's Customer Experience Improvement Group, including how lessons learnt are acted upon and have oversight from senior managers. Given the advice to passengers was to not travel, we also asked it to set out arrangements for refunds.

SWR responses in writing and in our meeting provided us with confidence that the company has learned lessons from the incident. The measures it is taking, and the improvements it has planned, appear to be robust and should enable the company to improve its incident handling in future.

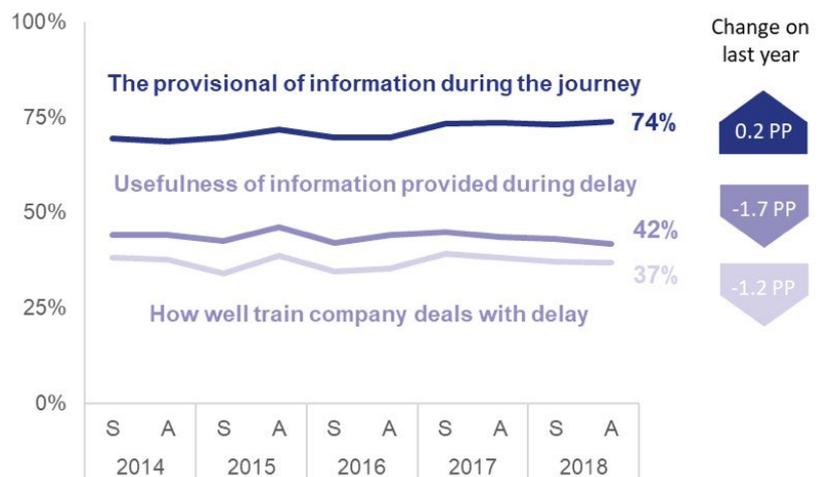
*each company is required to define their Service Disruption Threshold/s above which their passenger information during disruption arrangements will apply. The enhanced level of mobilisation within these thresholds is referred to as Customer Service Level 2

³⁰ <https://orr.gov.uk/rail/consumers/rail-timetable-issues> Strand 2 publications



National Rail Passenger Survey and industry research

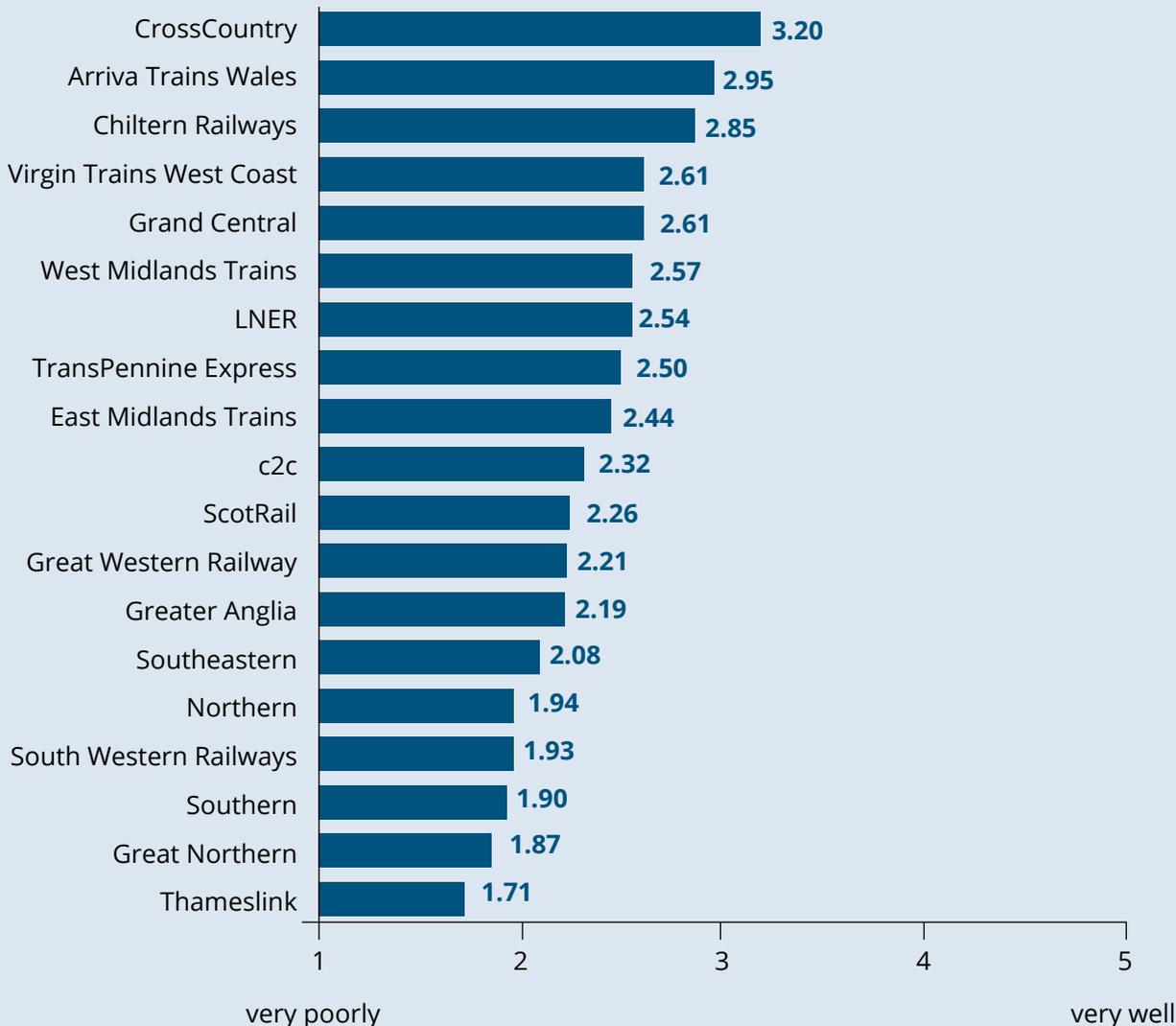
71. Data about the performance of the industry in delivering information to passengers is provided through the National Rail Passenger Survey (NRPS), conducted twice a year by Transport Focus. The autumn data suggests that the satisfaction with provision of information has stayed the same at 74% while the usefulness of information provided during delay, and how well train companies deal with delays, have gone down.



Source: Transport Focus, [National Rail Passenger Survey](#)

- 72. NRPS seeks passengers' views on the journey currently being made and so does not always capture the opinions of passengers when they have actually been disrupted. In order to fill this gap, the industry decided to launch its own survey. This has now been running for three years and the latest data (covering 1 October 2017 to 30 September 2018) has now been published in an interim form on the Rail Delivery Group (RDG) website.³¹
- 73. The RDG report set out a ranking system scoring the quality of information by each train company. The rankings appeared as follows:

Overall rating of information provision by train company (mean scores)



Base: CrossCountry 671, Arriva Trains Wales 638, Chiltern Railways 168, Virgin Trains West Coast 166, Grand Central 63, West Midlands Railway 30, LNER 246, TransPennine Express 79, East Midlands Trains 46, c2c 30, ScotRail 91, Great Western Railway 349, Greater Anglia 118, Southeastern 463, Northern 1321, South Western Railways 417, Southern 352, Great Northern 428, Thameslink 585 Note: TOCs with over 30 responses shown

³¹ https://www.raildeliverygroup.com/about-us/publications.html?task=file_download&id=469774837

74. As with last year's results, the survey suggested that the areas of information provision that need most attention are:

- the availability of alternative transport if the train service could not continue;
- the time taken to resolve the problem;
- the delivery style; and
- frequency of updates.

75. The RDG results also highlighted that passengers cared more about the content of the information than the channel through which it was received. When ranking the types of information that had the greatest positive impact on customer satisfaction, information about connections and onward travel had the greatest impact with the length of delay and an apology being the second and third most important respectively. On this basis, Transport Focus has recommended that industry focus on providing relevant information content and its dissemination through a range of channels.

76. RDG has stated that its new Customer Information Board will monitor the progress of improvements and aim to complete the outstanding PIDD industry actions. RDG is also looking to deliver information which is personalised to the customer and tailored to the journey purpose or type via the National Enquiries app.

ORR research

77. The initial findings from our Inquiry³² into the May 2018 timetable change highlighted significant concerns regarding the quality of information provided to passengers to enable them to plan and make journeys with a reasonable degree of assurance. Despite the focus on this area over recent years, passengers often remain dissatisfied with how the rail industry performs, particularly as their expectations are often set or exceeded by experiences in other sectors.

78. Previous work has shown that train companies often focus on getting information into industry systems but rarely consider the quality and usefulness of the information actually received by passengers online (including apps), on trains

or at stations. Our aim is to help train and station companies to think like the passengers that they serve so that appropriate information is easily available when and where it is needed.

79. Therefore, we commissioned research to identify what currently works in the interests of passengers, what is not working and why. We sought a comprehensive, end to end review of communication and information flows within train companies for a number of defined case studies to identify good practice and potential deficiencies or disconnects. This involved considering the needs of different passenger groups in a number of challenging scenarios, for four train companies and including some Network Rail managed stations.

80. From these studies we asked that a maturity model be developed that provides objective assessment of the delivery of information to passengers at each stage of their journey. This model should also allow the development of metrics that can form an information dashboard for each train company.

81. We have recently received the final report and will now discuss the findings with Network Rail, train companies and key stakeholders with a view to setting out a clear strategy for sustained improvement in this fundamental area for passengers.

Passenger information licence investigation

82. The ORR Inquiry into the May 2018 timetable disruption found that information provided by Northern and GTR to its passengers was inadequate which meant that passengers were unable to plan and make their journeys with any certainty. The remit of the Inquiry did not require any consideration into whether Northern or GTR were in contravention of or had contravened their licence requirements. In October 2018, we opened two investigations into whether Northern and GTR respectively were in contravention of or contravened condition 4 of its Statement of National Regulatory Provisions (SNRP), namely the provision of passenger information.

³² http://orr.gov.uk/_data/assets/pdf_file/0018/39042/inquiry-into-may-2018-timetable-disruption-september-2018-findings.pdf

83. Our investigations³³ focused on Northern's and GTR's (on its Great Northern and Thameslink routes) duty to provide appropriate, accurate and timely information to enable passengers and prospective passengers to plan and make their journeys with a reasonable degree of assurance, including when there is disruption, and to do so to the greatest extent reasonably practicable having regard to all relevant circumstances.
84. As part of the investigations we considered Northern's and GTR's provision of information in the lead up to the implementation of the May 2018 timetable ('pre-20 May 20'), and during the period of disruption following the introduction of the 20 May timetable ('post-20 May').
85. A high-level summary of the findings and outcome of these two investigations are set out below. Further information about the investigations including reports, decision letters and penalty notices can be found on the ORR website³⁴.

Findings and ORR's decision - Northern

86. We concluded our investigations in March 2019 and found that Northern took reasonably practicable steps to provide appropriate, accurate and timely information and therefore was not in breach of its passenger information obligations.
87. We considered that pre 20-May, Northern's communication plan and campaign to bring the timetable change to passengers' attention was broadly successful. For the post 20-May period, we noted that following the implementation of the timetable there were two weeks from 20 May to 4 June, where in many cases Northern passengers suffered from particularly poor information which affected their travel and journey planning. Passengers also faced disruption as a result of two RMT strike days on 24 and 26 May.
88. However, we found evidence to suggest that Northern took steps to provide appropriate, accurate and timely information to the greatest extent reasonably practicable having regard to the circumstances that it faced. Northern's interim timetable was introduced on 4 June, which stabilised service levels, improved performance, reduced last-minute cancellations and enabled the provision of better information to passengers (although it is widely recognised that on some routes passengers continued to experience significant disruption following this period for example on the Lakes Line). We also noted that Northern had conducted a lessons learned exercise and would be implementing its results. We therefore concluded that we would not take any further action in relation to any possible breach of Northern's SNRP.

Findings and ORR's decision - GTR

89. Our investigation into GTR (on its Great Northern and Thameslink routes) concluded that it breached condition 4 of its GB SNRP: Passenger licence requirements. For the pre 20-May period, GTR implemented a very effective communication campaign to inform prospective passengers of the timetable change - demonstrating that they took reasonably practicable steps to provide appropriate, accurate and timely information to passengers. However, there is evidence that post 20-May GTR failed to achieve an appropriate balance between service recovery and the need for appropriate passenger information to an unacceptable extent and duration throughout the initial phases of its Service Recovery Plan.
90. GTR made efforts to improve and stabilise services at an operational level through its Recovery Plan. However, the full benefit of this improvement was not felt in passenger outcomes due to the fact that as it was often not supported by appropriate, accurate or timely passenger information. There was a failure in operational decision-making to give adequate regard to the fact that running a train service or rail replacement buses is only helpful to passengers if they know when and where the service will arrive, where it is going and how long the journey will take. We considered that GTR failed to clearly communicate known cancellations in a timely manner undermining the ability of prospective passengers to plan ahead and make informed journey decisions.

³³ More information about the investigation can be found on our website at – <https://orr.gov.uk/rail/investigations-and-current-issues/investigation-into-gtr-and-northern-trains-provision-of-information-to-passengers-during-and-after-the-may-2018-timetable-disruption>

³⁴ <https://orr.gov.uk/rail/investigations-and-current-issues/investigation-into-gtr-and-northern-trains-provision-of-information-to-passengers-during-and-after-the-may-2018-timetable-disruption>

91. Operational decisions taken and implemented to support the recovery process were, in many cases, to the detriment of providing passengers with appropriate, accurate and timely information to an unacceptable extent and duration. For example, deleting trains from the timetable rather than cancelling services in advance meant that services did not show as cancelled on journey planners or appear on Customer Information System screens leaving passengers uncertain of what services would run each day as travelling on a particular train one day was no guarantee that it would run or be shown on station screens the next day.
92. As a result of the cumulative effect of GTR's failings we proposed that GTR pays a £5m financial penalty for contravention of condition 4 of its SNRP. Following consideration of representations from GTR, this penalty was confirmed on 31 May 2019.

Industry letters

93. Following the outcome of the Northern and GTR investigations, we wrote to the industry to set out the key principles with which, even during periods of unprecedented disruption, they have to the greatest extent considered and put in place reasonable measures to meet. We asked train companies and Network Rail to provide written assurance that any service recovery framework and crisis management plans currently in place take adequate account of these key principles, and to provide a copy of their arrangements and relevant contingency plans to support passengers that require additional assistance to travel during periods of disruption (both planned and unplanned).

Next steps

This year we will:

- publish the results of our **passenger information research**, and work with Network Rail, train companies and stakeholders to implement the findings;
- publish the results of our second review of **informed traveller principles monitoring** and update the **regulatory statement** to take into account the informed traveller principles, and consider whether any further update is necessary in the light of the two passenger licence investigations;
- continue to work with RDG to make sure that the industry has a stretching strategy for customer information, has revised its **code of practice** and is delivering a minimum standard across the network;
- analyse, and take any necessary follow-up action, on **responses from train companies** regarding their service recovery framework and crisis management plans and contingency plans to support passengers that require additional assistance to travel; and
- work closely with individual train companies to ensure that their **successes and innovation** are recognised and shared more widely across the industry.

³⁵ https://orr.gov.uk/_data/assets/pdf_file/0017/40670/passenger-information-letter-to-train-companies-managing-directors-2019-03-14.pdf

3.3 Assisted Travel

Introduction

94. Rail companies (including Network Rail and London Underground for the stations they operate on the national rail network) are required by the licences we issue to establish and comply with a Disabled People's Protection Policy (DPPP). We publish guidance on how they should write their policies, which requires them to set out their arrangements for providing assisted travel³⁶ to passengers. We approve train companies DPPPs, monitor their compliance with them, and carry out research to help us identify areas for improvement and address weaknesses.

95. The licences we issue also require that, in establishing a DPPP and in making any changes to it, train and station operators shall have "due regard" to the *Design Standards for Accessible Railway Stations: A Joint Code of Practice*³⁷ (the Code) published by DfT and Transport Scotland. The Code ensures that any infrastructure work at stations complies with European or national standards on accessibility and applies when a licence holder installs, renews or replaces infrastructure or facilities. We monitor licence holders' compliance with the Code.
96. The following sections report on our work to ensure rail companies comply with their obligations and to further improve assisted travel.



³⁶ Assisted travel includes assistance booked in advance with train companies via the Passenger Assist service, as well as assistance that has not been booked in advance but is provided 'on demand'.

³⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/425977/design-standards-accessible-stations.pdf

Commitments from last year

97. In last year's Measuring Up report we set out a number of actions we intended to take during the course of this year. A summary of what we did in relation to these is set out below.
- We said that we would **work with our Assisted Travel Advisory Group** to further inform our work around the development of revised DPPP guidance for train and station companies in how to provide assistance to passengers. We met with the Group on three occasions prior to publishing our consultation on draft revised guidance in November. Further details about our work on the guidance is set out below.
 - We have continued to **monitor train companies' performance**, analysing core data returns and using information to take appropriate action. Examples are summarised in this report.
 - Over the course of the year we have **reviewed and approved eight DPPPs**³⁸ from new companies and where material changes have been made by train companies to existing DPPPs.

Improving Assisted Travel – ORR's consultation

98. Securing improvement to the services received by disabled passengers is an important area of focus for us. The DPPP guidance is an important tool in setting out the obligations on rail companies, including Network Rail, to provide an accessible service for passengers. However, the current guidance was last published in 2009 by DfT and so needed to be updated to reflect passenger expectations and the changing operating practices within the industry.
99. As set out in last year's report, in 2017 we launched a consultation on the key areas for improvement in the passenger experience and awareness of assisted travel, based on the results of the extensive research we published at the same time. The responses to that consultation were published in April 2018. We also wrote to train companies asking them what progress they had made in improving their assisted travel services since publication of our research and what immediate steps they planned to make to further strengthen their delivery. We published this letter and their responses on our website.³⁹
100. On 14 November 2018, we published our 'Improving Assisted Travel' consultation on draft revised DPPP guidance for rail companies.⁴⁰ This consultation set out a series of detailed proposals to improve the experience of assisted travel and the provision of information to disabled passengers. These proposals were informed by work with our Assisted Travel Advisory Group of experts from disability organisations, industry bodies, passenger champions and franchising authorities, which met three times over the summer of 2018. We also held seven separate workshops with rail companies and disability organisations to discuss in detail revisions to the DPPP guidance, carried out station visits and met with campaigning groups to ensure we obtained a full picture of the relevant issues.

³⁸ <https://orr.gov.uk/rail/licensing/licensing-the-railway/disabled-peoples-protection-policy>

³⁹ The 2017 consultation and responses can be found alongside our letter to licence holders and their responses on the ORR website: <https://orr.gov.uk/rail/consumers/consumer-consultations/improving-assisted-travel-consultation>

⁴⁰ https://orr.gov.uk/_data/assets/pdf_file/0004/39676/improving-assisted-travel-consultation-november-2018.pdf

101. Our proposals for consultation were:

- Ensuring disabled people are involved in a meaningful way in the development and delivery of staff training and the development and review of policies.
- Improving the quality and reliability of assistance through better customer information provision at the journey planning and booking stages, and requiring a dedicated assistance line and handover protocol for station staff.
- Strengthening the content, delivery and frequency of staff training.
- Reducing the notice period for booking assistance from 24 hours to 10pm the day before or to 6 hours or 2 hours.
- Ensuring passengers that have booked assistance can easily obtain redress when things go wrong.
- Ensuring assistance can be provided under different modes of operation through effective risk assessment and mitigation, flexibility in service delivery and clear information.
- Revising, restructuring and renaming DPPP's so passengers understand what assistance options are available, how to obtain them, what to expect if things go wrong and where to get further information.
- Ensuring passengers know how to contact a member of staff at any station, either in person or remotely.
- Improving the communication tools capable of being used for booking assistance.
- Improving the service for passengers when rail replacement and alternative accessible transport is used.
- Ensuring clearer information is provided to passengers on the carriage of scooters and other mobility aids.
- Strengthening how companies consider assistance provision for passengers in different operating circumstances, focusing on staff availability.

102. The consultation closed on 15 February 2019. We will publish our summary of responses to each question, and individual responses on our website. At the time of writing, we are finalising the revised guidance which we expect to publish in July. The guidance will require DPPPs to be renamed Accessible Travel Policies (ATP).

Passenger research

103. It is important that when passengers seek assistance they can be confident that it will be provided. Therefore, this year we have continued to monitor train companies performance via independent research, which we will publish in full this summer, with passengers who have booked assistance to understand whether they received it and whether they were satisfied with it. The table below shows passenger satisfaction with booked assistance in 2018/19.

Company	Overall sample size	Received all assistance booked	Satisfaction with assistance at station	Overall satisfaction*
Chiltern Railways	100	80%	85%	79%
East Midlands Trains	171	78%	84%	81%
Govia Thameslink Railway	153	70%	83%	79%
Great Western Railway	570	76%	91%	89%
Greater Anglia	155	75%	87%	83%
London North Eastern Railway	495	79%	91%	89%
Northern	291	64%	76%	75%
ScotRail	226	76%	84%	83%
South Western Railway	170	69%	87%	85%
Southeastern	83	75%	82%	83%
TfW Rail	177	69%	83%	81%
TransPennine Express	150	79%	90%	89%
Virgin Trains West Coast	524	78%	91%	89%
West Midlands Trains	233	79%	90%	85%
Total/average for train operators	3,542	75%	87%	85%
Network Rail	1,426	76%	89%	86%
National/Average	4,968	76%	88%	85%

Notes:

*Satisfaction with the whole process from booking assistance to assistance received

- TfW Rail took over the Arriva Train Wales franchise on 14 October 2018.
- London North Eastern Railways took over the Virgin Trains East Coast franchise on 24 June 2018.
- The following train companies are not shown due to low sample sizes: c2c (5 responses), London Overground (4 responses), Merseyrail (25 responses) and TfL Rail (10 responses).

Reliability trial

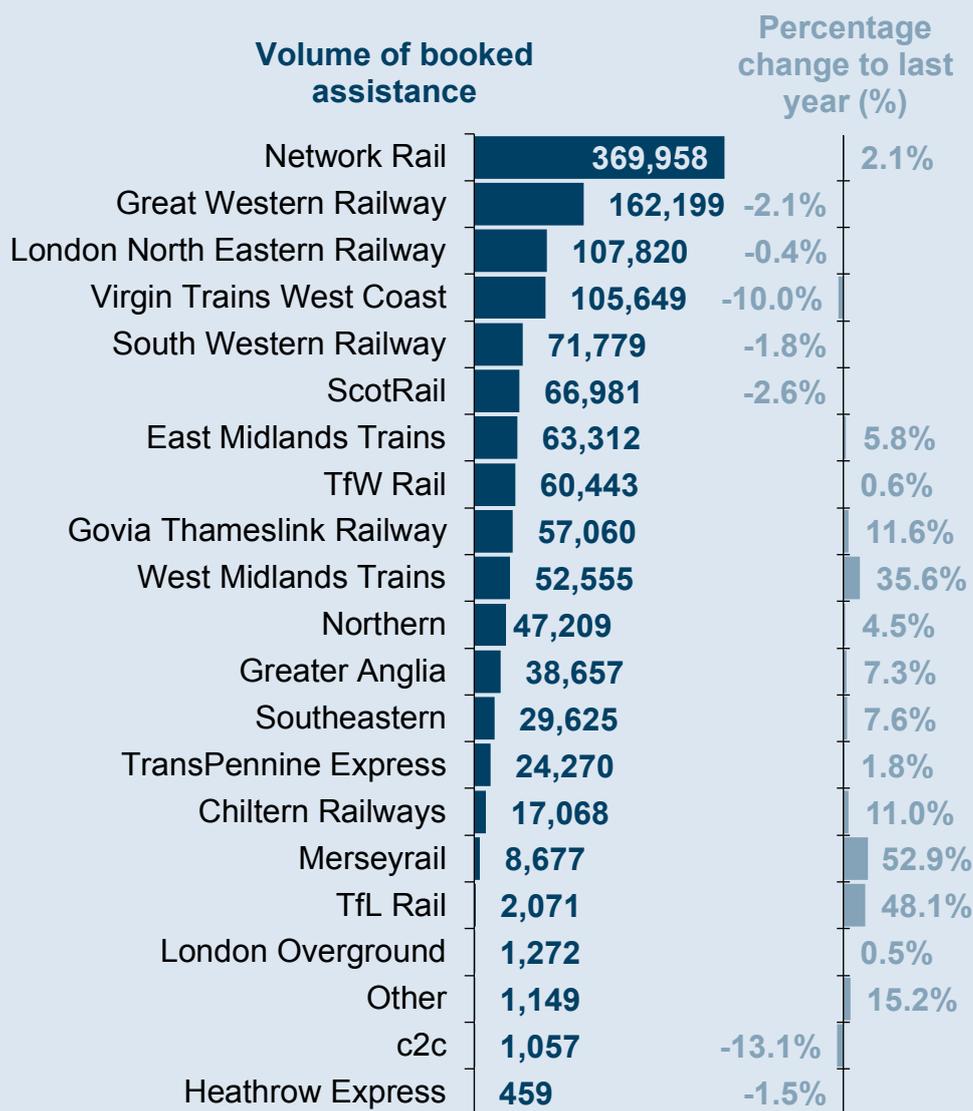
104. The results of the research above show that train companies need to improve to provide the service passengers require. Therefore, we are pleased that two train companies – SWR and Northern - and Network Rail have agreed to take part in a trial of our proposed reliability safeguard measures designed to improve the reliability of Assisted Travel. A full explanation of the background to these proposals can be found in our Improving Assisted Travel consultation⁴¹.
105. These proposed measures seek to address a longstanding issue highlighted by ORR research which has shown that systemic informational and communication issues as a result of established practices across the network can hinder staffs' ability to provide assistance reliably at stations. ORR is seeking to test three discreet yet interdependent changes in the course of trial to assess their effectiveness at mitigating these issues:
- a handover protocol to provide guidance for station staff on what information they need to pass on to the next station when providing assistance;
 - the introduction of a dedicated assistance contact number for each station to provide a dependable means for receiving and passing on this information; and
 - the introduction of a 'responsible person' for assistance at each station (but they do not have to be physically present) during operational hours to enhance accountability for assistance provision.
106. The trial will help ORR evaluate the efficacy and impact of these proposals prior to making a decision about whether to roll them out across the network.

⁴¹ <https://orr.gov.uk/rail/consumers/consumer-consultations/improving-assisted-travel-consultation-2018>

Compliance monitoring and action

107. We have continued to monitor train companies' performance, analysing core data returns and using information we receive to take appropriate compliance action.
108. The table below shows that there were circa 1.3 million booked assists in 2018/19, an increase of 2% on the year before.

Volume of rail passenger booked assistance, Great Britain, 2018-19



Note: Data on the volume of booked assistance requests received in each rail period is available for each train operator that manages a station. Data is therefore not available for companies that do not manage any stations. 'Other' covers smaller companies whose passengers can book assistance through the Passenger Assist system. Source: Rail Delivery Group (RDG)

Data tables: [Rail passenger assists and bookings – Table 16.02](#)

109. We have also continued to monitor train companies compliance with their DPPP's, acted upon the complaints we have received directly from consumers and other stakeholders, and followed up where issues have been raised via social media. Examples of this activity are shown below.

South Western Railway (SWR) and Northern – providing assistance to passengers

In March 2019, we wrote to SWR and Northern regarding our concerns that the ongoing level of reliability of service for passengers who require assistance at their stations is currently below that which passengers and we expect. This was based on our survey of passengers using Assisted Travel, which indicated the proportion of passengers reporting they had not received the assistance they booked was higher than the national average.

We asked SWR and Northern to explain the reasons for the shortfall in performance, together with the steps they plan to take to improve the reliability of the assistance provided to passengers at stations and on-board trains to achieve the necessary compliance with requirements.

SWR noted that its own monitoring of the large number of assistance requests it received suggested a significant number of assistance failures were due to passengers not arriving or arriving too late for their booked assistance. It also highlighted the constraints on staff in receiving live information when travel plans change. Northern noted the small number of complaints received compared to the large number of requests for assistance it received.

It is important that passengers can rely on the assistance they have booked being provided and can travel with confidence. We therefore intend to meet with each company shortly to better understand how they ensure as far as possible that assistance is provided.

GTR - 'pit stop' document

In June 2018, GTR's internal 'Pit Stop' document, produced for station staff to ensure safe and punctual departure of trains, was published in the media.

Upon publication, ORR sought clarification on a number of issues. GTR confirmed that the document was produced for station staff to ensure safe and punctual departure of trains and was not a training manual for how to assist passengers with reduced mobility. We received assurance that the document did not represent a change in the way passengers were assisted with their rail journeys.

Nonetheless, GTR recognised that the wider circumstances of the need to assist passengers with reduced mobility could have been better reflected in the document. It produced a revised version to clarify this.

Great Western Railway (GWR) – providing assistance at stations

Where reasonably practicable, train companies must commit in their DPPP to providing assistance at accessible but either partially staffed or unstaffed stations on routes where there is no second person on board the train.

Concerns were raised regarding Goring & Streatley station, where a new footbridge and lifts had been installed in 2016 to provide step-free access to all platforms. The station is only staffed at peak times, and train services have no second person on board to provide assistance to passengers. ORR engaged with GWR on the provision of assistance at Goring & Streatley and other accessible stations on routes where station staff may not be present, to assess whether this was compliant with its DPPP.

GWR now plans to introduce mobile staff based at Reading and surrounding stations to provide assistance to passengers on Thames and Kennet Valley routes where there is no second person on board the train at accessible stations that are otherwise unstaffed or staffed only during busier times of day. We will monitor the success of this initiative for passengers.

Compliance with the Design Standards for Accessible Stations Code of Practice

110. Over the course of the year, we have examined a number of cases where it was not immediately clear whether major works that had taken place at a number of stations complied with the standards set out in the Code or whether a dispensation or derogation from DfT from those standards had been sought. The Railways Act 1993 permits ORR to take enforcement action in cases where the non-compliance occurred no more than two years previously.
111. In each case we have examined what work took place including in some cases visiting the station in question, what assessments were made of the need to comply with the relevant Code standards, and whether a dispensation or derogation was applied for from the DfT and subsequently received or refused. The following table is an overview of these cases. Where applicable we will monitor progress to ensure these improvements are delivered for passengers.

Station	Operator	Works carried out by	Issue	Outcome
Barnt Green	West Midlands Rail	Network Rail (>two years ago)	The provision of lifts was not included as part of the station's major footbridge works.	Open. We have set out that a lift must be installed to achieve compliance with the relevant Code standards. Network Rail is currently exploring funding options with DfT to deliver this in CP6. We will continue to monitor progress and hold Network Rail to account for securing funding and completion of the works.
London Euston	Network Rail	Network Rail (> two years ago)	The provision of a compliant Changing Places facility was not included as part of the station's toilet refurbishment.	Open. We have set out that a Changing Places facility must be provided to achieve compliance with the relevant Code standards. Network Rail has committed to securing funding for the installation of a Changing Places facility during the first three years of CP6. We will continue to monitor progress and obtain a more detailed timeline for securing funding and completion of the works.
Ludlow	Transport for Wales	Network Rail	The provision of lifts was not included as part of the station's major footbridge works.	Closed. Further investigation carried out by ORR confirmed the type of work completed did not require the application of the Code of Practice. The station is however confirmed to receive Access for All Funding in CP6.
Tilehurst	GWR	Network Rail (> two years ago)	The provision of lifts was not included as part of the station's major footbridge works.	Open. We have set out that a lift must be installed to achieve compliance with the relevant Code standards. Network Rail is currently exploring funding options with DfT for lift installation during CP6. We will continue to monitor progress and hold Network Rail to account for securing funding and completion of the works.

Station	Operator	Works carried out by	Issue	Outcome
Kidbrooke & Sidcup	Southeastern	Network Rail (> two years ago)	The provision of lifts was not included as part of the station's major footbridge works.	Open. We are seeking further clarification from both Southeastern and Network Rail regarding other access routes at each station to understand whether lifts are required, including a site visit to the stations.
Eltham	Southeastern	Network Rail (TBC)	As part of platform extension works, tactile paving was only applied to the new extended part of the platform, and did not include the whole length of the existing platform.	Open. Tactile paving should not cover only part of a platform length. We are currently seeking further clarification from both Southeastern and Network Rail on the original works carried out, and their plans for this station. We are also investigating similar cases elsewhere on the network and will take appropriate action in the light of our findings.

Next steps

This year we will:

- publish **revised ATP guidance** and set out a timetable for submission of revised policies for ORR approval;
- publish additional **guidance for operators of heritage railways, trams that run on the national network, and single stations**. As licence holders, these companies are required to have an Accessible Travel Policy but we recognise that the obligations that can reasonably be placed on such bespoke operations may be different to larger mainline companies. We will work with stakeholders to explore what these obligations should be;
- establish a regular **forum with disabled people's organisations**, to include users of assisted travel, with whom we will consult on accessibility issues;
- continue to **monitor train companies' performance**, analysing core data returns and using information we receive to take appropriate compliance, and where appropriate enforcement action;
- ensure Network Rail understands its obligations regarding compliance with the **Design Standards for Accessible Railway Stations Code of Practice** when it does work at stations, and has the processes in place to ensure accessibility is considered early in the development of station schemes; and
- monitor proposals for **station changes** by companies, local authorities, developers and other third parties to ensure they comply with the Code and taking action as necessary where they do not.

3.4 Complaints and redress

Introduction

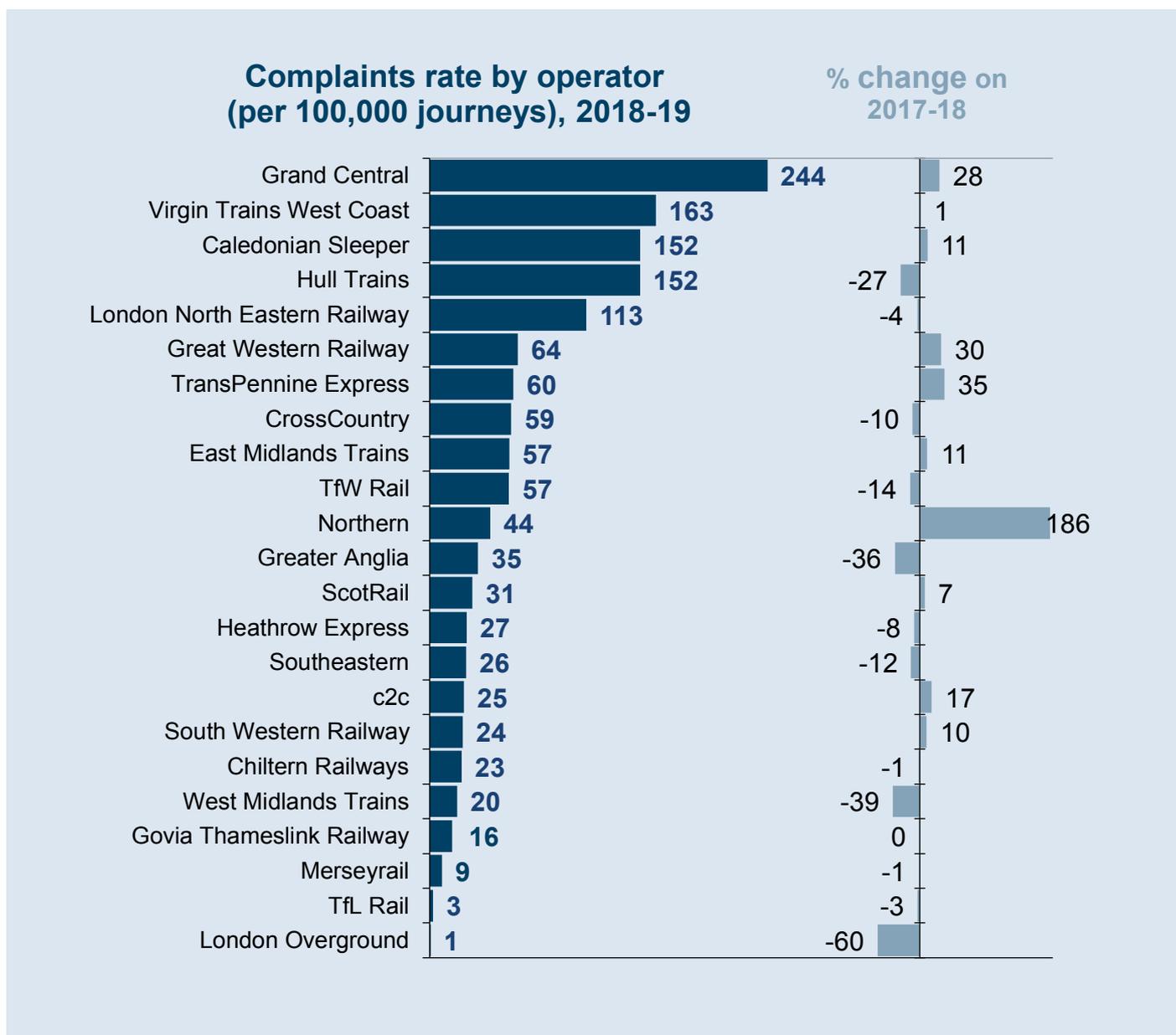
112. When complaints arise it is important that train and station licence holders take prompt and efficient action to ensure that they are dealt with in a fair and effective way. These licence holders are required to have a Complaints Handling Procedure (CHP), approved by ORR, which set out how they will meet passengers expectations. When they fail to do so, it is important that the passenger has recourse to an independent means of redress. This may be through the Rail Ombudsman introduced this year or other ways such as formal delay compensation arrangements.
113. In the following section we set out some of our main activities in this area.

Commitments from last year

114. In last year's Measuring Up report we set out a number of actions we intended to take during the course of this year. A summary of what we did in relation to these is set out below.
- We published documents to modify rail companies' licences to make **membership of an Alternative Dispute Resolution (ADR) scheme mandatory**. Further details about our work in this area is set out below.
 - We conducted research to **review complaints handling in other regulated sectors** where they have an ADR scheme in place. This year the results will be presented to train companies to so that any learning can be applied to the rail sector, and published on our website.
 - We repeated our **compensation 'gap' analysis on delay compensation** to understand the difference between the number (and value) of claims that passengers could in theory choose to make for compensation and the number (or value) of claims actually made. Our findings are detailed in this chapter.

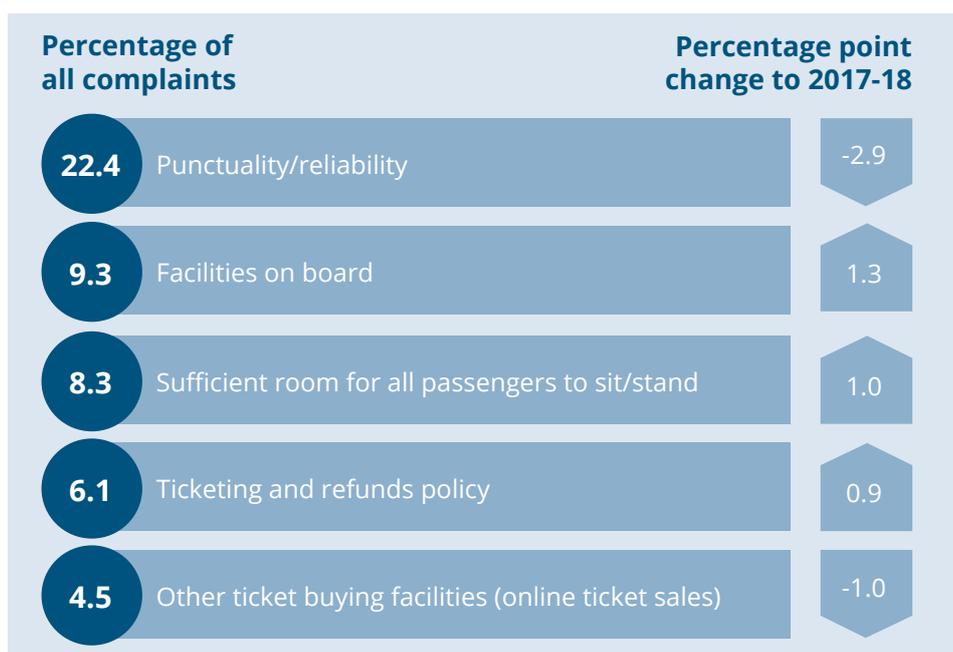
Complaints handling – monitoring and insight

115. Over the course of the last year we have continued to work with companies to improve the quality of their complaints handling. One way in which we carry this out is via our monitoring of their performance. Train companies submit data in line with our published guidance. We held a workshop in January 2019 with industry stakeholders to discuss our monitoring activity and agree updates to our guidance. To ensure that all companies are meeting their reporting obligations, we also sought written confirmation from them that the data provided is accurate.
116. Our complaints data shows that there were 30.1 complaints per 100,000 journeys in 2018-19⁴² for franchised train companies. The table below sets out the complaints rate per 100,000 journeys for 2018/19 as well as the percentage change compared to 2017/18, per train company.



⁴² https://orr.gov.uk/_data/assets/pdf_file/0017/41336/passenger-rail-service-complaints-2018-19-q4.pdf

117. Our data collection allows us to identify the main drivers of complaints in 2018/19, and to compare that data with the year before. The table opposite sets out the top five reasons for complaint, the order of which remains unchanged from 2017/18, and the percentage change.



118. Train companies are required to provide a full response to 95% of complaints within 20 working days. The table below shows how they performed in each of the 13 rail periods for which train companies submit reports, the performance averaged over that time, together with the number of rail periods for which they were below 95%. All of these metrics are important for our data monitoring. For example, the latter metric can show how a small number of severe non-compliance can affect the average response rate for the whole year.

Train operator	Response rate	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10	P11	P12	P13	Number of periods below 95%
CrossCountry	100.0%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
Heathrow Express	100.0%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
Southeastern	100.0%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
Chiltern Railways	99.9%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
Govia Thameslink Railway	99.9%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
Merseyrail	99.9%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
c2c	99.6%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
East Midlands Trains	99.0%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
West Midlands Trains	98.4%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	1
Virgin Trains West Coast	98.1%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	0
TfL Rail	97.7%	✓	✓	✓	✓	✓	✗	✓	✗	✓	✓	✓	✗	✓	3
Great Western Railway	97.0%	✓	✗	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	2
Grand Central	96.7%	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	1
TfW Rail	96.3%	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗	✗	✓	✓	3
London North Eastern Railway	95.3%	✓	✓	✗	✓	✓	✓	✓	✓	✗	✗	✗	✓	✓	4
London Overground	94.6%	✓	✗	✓	✓	✗	✗	✓	✗	✗	✗	✓	✓	✓	6
Greater Anglia	94.3%	✗	✓	✓	✓	✓	✓	✓	✗	✗	✓	✓	✓	✓	3
ScotRail	94.2%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗	✓	2
South Western Railway	91.9%	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✗	✗	✓	3
Caledonian Sleeper	88.9%	✓	✗	✓	✗	✓	✗	✗	✓	✗	✗	✓	✓	✗	7
TransPennine Express	85.6%	✓	✓	✓	✓	✗	✗	✗	✗	✓	✓	✓	✓	✓	4
Northern	68.9%	✗	✗	✗	✗	✗	✗	✗	✗	✗	✓	✓	✓	✓	9
Hull Trains	60.6%	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	13

Complaints handling – compliance

119. Sometimes unexpected situations occur which affect the ability of train companies to meet their requirements. When this happens it is important the company act swiftly to ensure that it meets the needs of its passengers and returns to compliance. Where we see that companies are failing to meet their obligations, we have an array of measures available to us to ensure that they do so. This may include enhanced monitoring, senior level meetings, detailed plans to return to compliance, auditing of complaints processes, and enforcement action.

Virgin Trains (VT) – Improving and sustaining complaints handling performance

It is important to highlight instances where improvements have taken place and train companies have taken responsibility for ensuring that they meet the needs of their passengers.

In 2017/18 VT was unable to meet its requirements to respond to 95% of complaints within 20 working days in 10 rail periods. As a result, ORR sought a detailed plan for returning to compliance, met with the company, and carried out an audit of processes.

Following this, VT undertook a full and detailed review to establish where improvements could be made centred around three key areas: people; process; and technology. This led to a recruitment drive to ensure the Customer Resolutions Centre (CRC) was better resourced with staff with the right skills, attitude and experience supported by a structured training programme and accreditation process.

The CRC was restructured and key performance indicators identified to maximise and develop performance management opportunities. Leadership roles were clearly defined; staff understood what good looked like and where they could make the positive difference by focussing on the accountabilities of their own roles and leading others towards achieving the overall vision.

Finally, VT introduced a new, user friendly and innovative Customer Management System. This gives richer and more accurate data, and allows more effective planning by targeting resource to keep customer wait times short.

The improvements VT has introduced has enabled it to meet the 95% requirement on complaint handling for 15 consecutive periods.

120. Where it is necessary to take steps beyond enhanced monitoring, we publish the action we have taken on our website⁴³. We have set out below an example of the action taken to secure compliance with complaints handling requirements.

Northern - failure to respond to 95% of complaints in 20 working days

Our proactive monitoring of train companies complaints handling identified that Northern was not meeting its obligation to respond to 95% of complaints within 20 working days. We contacted the company to require them to explain the reasons for the failure and to provide a plan for returning swiftly to compliance, and placed them on enhanced monitoring. We also met with the company to discuss its performance.

Northern explained that its complaints handling had been adversely affected by the collapse of its outsourced provider Carillion and the increased number of complaints received following the 20 May 2018 timetable change. Additional resource had been moved to the complaints function to clear the backlog which had arisen and a challenging date by when these measures would result in compliance was provided.

Through our enhanced monitoring we noted progress to meet compliance had been negligible and followed this up with the company. Northern acknowledged that progress had been slow although the backlog had been reducing and was confident that the measures taken would swiftly achieve the necessary compliance with requirements. Northern did return to compliance as per its plan and once we were satisfied that this improvement was being sustained the enhanced monitoring became unnecessary.

⁴³ <https://orr.gov.uk/rail/licensing/licensing-the-railway/complaints-handling-procedures>

Passenger satisfaction with complaints handling

121. In previous years' we have been able to publish data focussed on passengers' satisfaction with the complaints handling process, and outcome. This comparative data has helped us to identify any good practice and challenge those companies which are not performing well. However, this year changes were made to the survey methodology which we understood would be necessary in order to comply with new General Data Protection Regulations. This has had a substantial effect on the number of respondents to the survey with the result that the data cannot be relied upon as statistically accurate. We have now reviewed the methodology and made changes as a result which we expect will see numbers rise sufficiently for the data to be robust and able to be published in our next report.

Rail Ombudsman

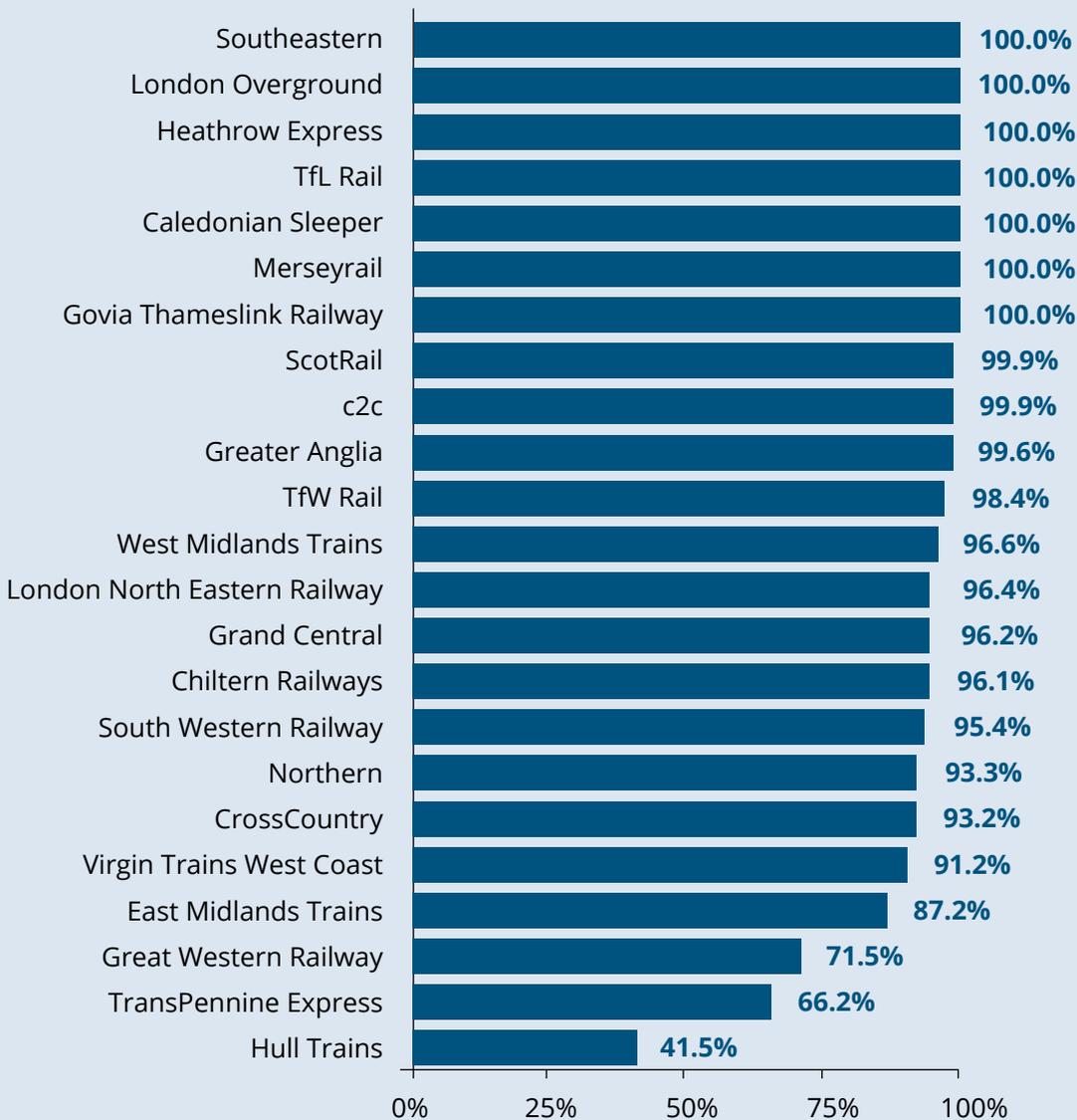
122. ADR schemes provide consumers with a free and independent means of complaints resolution through decisions which are binding on the company. Membership of an ADR scheme demonstrates to consumers a strong commitment to customer service and builds trust. Over the year, RDG continued to work with its members to develop and implement a voluntary ADR scheme with an independent ombudsman. RDG members agreed to join the voluntary ADR scheme known as the Rail Ombudsman from November 2018.

123. Last year we stated that we were "minded to" mandate membership of an ADR scheme through the licence six months after the start of a voluntary ADR scheme. We consulted on detailed proposals to do so in July 2018 setting out the reasons why this was necessary to protect dissatisfied customers. Whilst we welcomed the industry's proactive voluntary approach in this area, it is important that passengers have long-term access to a free, independent and binding means of redress. We therefore formally consulted on changing licences in February and, following licensees consent, we will modify licences to require membership by franchise rail companies, Open Access Operators and Network Rail from 1 April 2019. All other rail companies have also consented to the licence change. We are now working with them, RDG, and the Rail Ombudsman to agree a sensible timescale for joining.
124. It is important that the Rail Ombudsman shares any learning from complaints with individual train companies as well as the wider sector to raise standards in complaints handling. We also look forward to seeing high quality information to enable us to see trends in complaints and better identify areas where our intervention may be necessary.

Delay compensation

125. Compensation for a delayed train journey is one way in which train companies can demonstrate that they have fallen short of the service the passenger expected when they purchased their ticket. This year we have enhanced our data monitoring to capture information about performance on delay compensation. For the first time we are able to see how quickly train companies provide compensation.

Percentage of delay compensation claims answered within 20 working days by train company, Great Britain, 2018-19



126. Our analysis of this data has enabled us to focus on those train companies which have faced difficulties processing claims within the aim set out in the National Rail Conditions of Travel to do so within a month (20 working days). As with our approach to when there are failures in complaints handling, we want to understand the reasons for the failure in performance and ensure that there is a clear and robust plan for improvement.

Transpennine Express (TPE) – delays in processing delay compensation claims

We wrote to TPE in February 2019 as our compliance monitoring data indicated that TPE had processed an average of 45.7% of compensation claims in rail periods 1-7 2018/19, and that TPE's most recent period data showed no improvement in performance. We asked TPE to explain the reasons for the shortfall in performance and also to provide a detailed, clear and achievable plan for improvement to both meet and remain within the timescales set out in the National Rail Conditions of Travel for compensation.

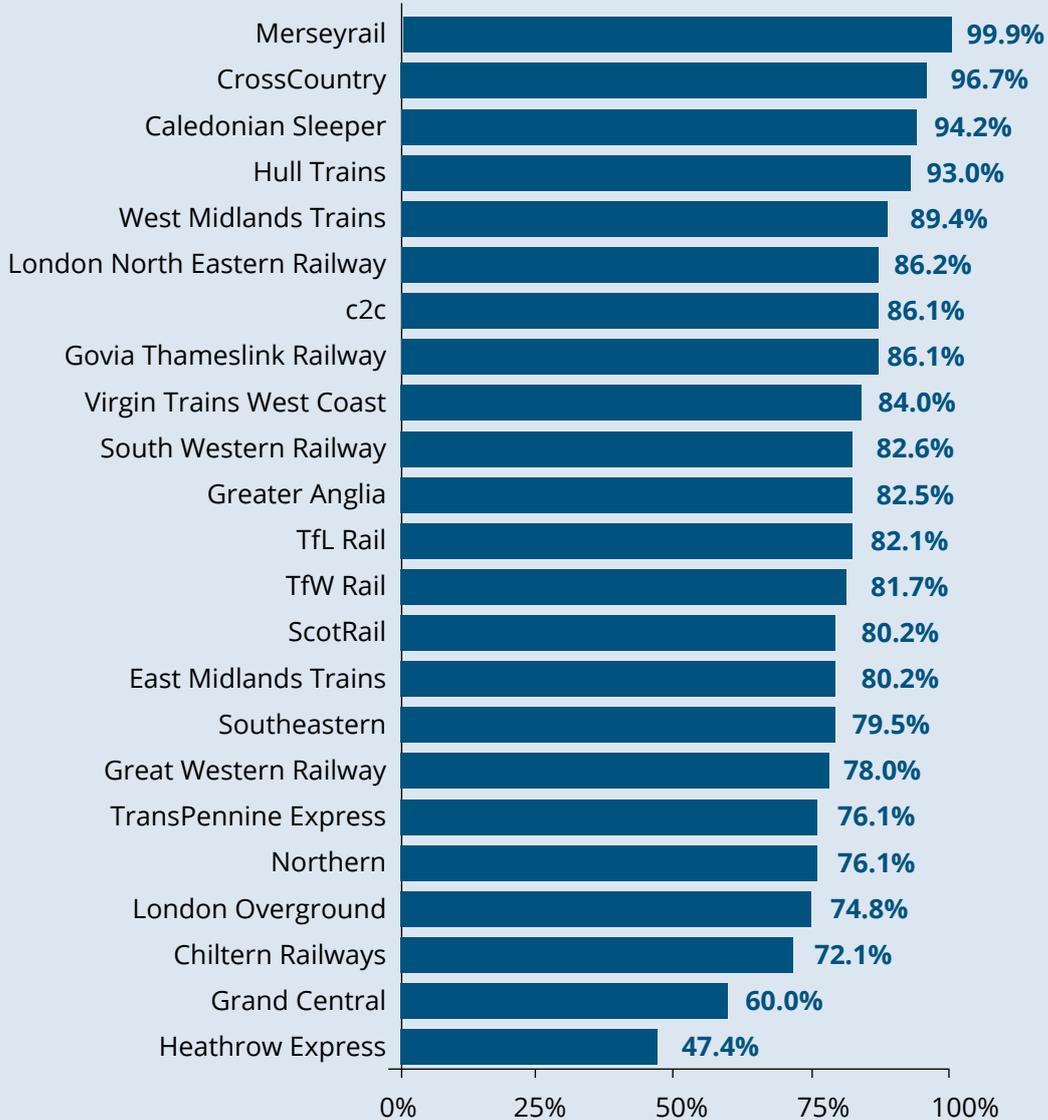
In its response TPE explained that a backlog in some delay claims had accumulated following the May 2018 timetable change. A review involving internal stakeholders and supply partners had been carried out, and areas for improvement identified in reporting and financial processes. A new process for approving delay claims had also been introduced.

TPE sought a meeting with us to explain the challenges it faced and the specific actions it had taken to improve both in the short-term and longer-term. These had resulted in significant improvements in performance which are being sustained.



127. Our new monitoring data also allows us to see for the first time the percentage of delay compensation claims train companies approve and reject. The table below illustrates the variance in performance, the reasons for which we will analyse further this year.

Percentage of delay compensation claims approved by train company, Great Britain, 2018-19



Compensation 'gap'

128. In our 2017 Measuring Up report we carried out a review of the proportion of due compensation that had been paid to passengers (the difference between due and paid compensation is sometimes referred to as the 'compensation gap'). We reviewed evidence spanning the periods before and after March 2016, when we published our response to the rail passenger super-complaint. We concluded that over this period there had been an increase of around 10 percentage points in the proportion of due compensation that has been paid to passengers.
129. As part of this year's report we have carried out a review of the evidence on the compensation gap that has become available since we published our 2017 report. The evidence suggests that the proportion of compensation that is paid has remained fairly steady over this period. Whilst survey evidence (for DR30 schemes) published by DfT/Transport Focus

in October 2018⁴⁴ suggests a moderate rise in compensation payments over 2016 levels, our own analysis of train companies payout and performance data (based on different criteria and methodology) suggests a marginal decline since 2016-17. It remains the case, therefore, that a substantial proportion of potential payments go unclaimed, and as such that there is more work to be done in this area. The methodology for our assessment is set out in annex B.

Williams Review

130. **We have published today our response to the Williams Review.** It asked ORR to consider what more can be done to make it easier for customers to access the compensation they are entitled to, advise on what more could be done by rail operators to improve this, and whether more regulatory powers are required to ensure that it happens.

Next steps

This year we will:

- present our research on **reviewing complaints handling in other regulated sectors** where they have an ADR scheme in place to train companies so that any learning can be applied to the rail sector, and publish the research on our website;
- work with RDG, the Rail Ombudsman, smaller train and station companies to agree a timetable which will mean that these companies can join the **Rail Ombudsman** scheme in an orderly manner;
- undertake further analysis of the **delay compensation data**, focussing primarily on the difference in performance of train companies in relation to rejection rates; and
- take forward any further work on delay compensation resulting from ORR's submission to the **Williams Review**.

⁴⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751380/rail-delays-and-compensation-report-2018-revised.pdf

4. NETWORK RAIL

Introduction

131. Network Rail owns and operates the national rail network. This includes the track and related infrastructure, and 20 of Britain's largest and busiest stations. Of these 20 stations, 11 are in London including Clapham Junction and Guildford which Network Rail started managing from 1 April 2018. The key passenger facing obligations that apply to Network Rail fall within its station licence⁴⁵ and therefore relate to the stations it manages (although its network licence⁴⁶ also includes obligations around passenger information).
132. These passenger facing obligations require Network Rail to:
- cooperate, as necessary, with train companies to enable them to provide appropriate, accurate and timely information to enable passengers to plan and make their journeys with a reasonable degree of assurance, including when there is train service disruption (Condition 3 of Network Rail's station licence);
 - establish and comply with a **Disabled People's Protection Policy** (DPPP) which sets out the arrangements by which Network Rail will protect the interests of rail users who are disabled in their use of managed stations; and
 - establish and comply with a **complaints handling procedure** (CHP) relating to licensed activities from customers (Condition 5 of Network Rail's station licence).
133. As with train companies, we use the data we collect to monitor Network Rail's performance and compliance with its obligations.

Information for passengers

134. There are industry systems for setting timetables and providing passengers with information. The System Operator (SO), which is a function within Network Rail, coordinates the process for fixing a base timetable twice a year and for making short-term changes to it. The industry norm is that timetables are agreed and confirmed at least 12 weeks ahead of travel enabling train companies to open ticket reservations and bookings for passengers (this is known as T-12). In February 2018, the industry moved to shorter timescales. ORR conducted an investigation into how this problem arose, and has found Network Rail in breach of its licence. Details of the investigation and outcome can be found on our website⁴⁷. In March 2019, the SO announced that the industry (except GTR) has been able to return to the standard T-12 timescales for publishing timetables (GTR has made progress and is now at T-9).
135. As noted earlier in this document, the initial findings from our Inquiry⁴⁸ into the May 2018 timetable change highlighted significant concerns regarding the quality of information provided to passengers. We subsequently commissioned research to identify what currently works in the interests of passengers, what is not working and why. As part of the case studies with four train companies, the research examined how information is captured, managed and disseminated to passengers at some Network Rail managed stations. The onus on Network Rail here is to effectively cooperate with train companies to enable them to provide good quality information to passengers and prospective passengers, including when there is disruption.
136. We have recently received the final report and will now discuss the findings with Network Rail, train companies and key stakeholders with a view to setting out a clear strategy for sustained improvement in this fundamental area for passengers.

⁴⁵ http://orr.gov.uk/_data/assets/pdf_file/0012/3234/nr-stat-licence.pdf

⁴⁶ http://orr.gov.uk/_data/assets/pdf_file/0012/3063/netwrk_licence.pdf

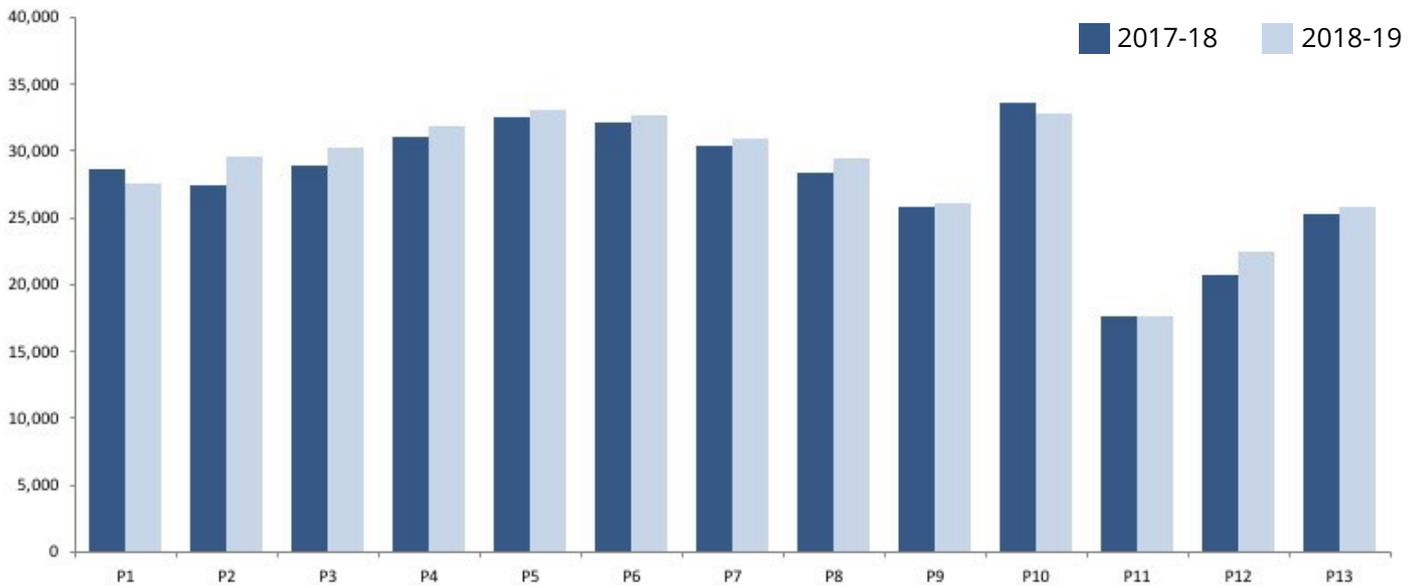
⁴⁷ <https://orr.gov.uk/rail/consumers/rail-timetable-issues>

⁴⁸ http://orr.gov.uk/_data/assets/pdf_file/0018/39042/inquiry-into-may-2018-timetable-disruption-september-2018-findings.pdf

Assisted Travel

137. Although passengers usually book assistance via the relevant train company they are travelling with, Network Rail is responsible for providing assistance at its managed stations. Data received from RDG (see table below) shows there were 369,958 booked assistances requested at Network Rail managed stations in 2018-19, an increase of 2.1% compared to the same period in the previous year. This represents 29% of all booked assistance requests made nationally in 2018-19.

Total volume of assisted journeys booked at Network Rail stations by rail period 2017-18 and 2018-19



Change on last year

2.1

Network Rail received 369,958 booked assistance requests in 2018-19

This accounted for 29% of all booked assists made nationally in 2018-19

Source: RDG

Note: A 'rail period' is normally 28 days, or four weeks, for business reporting purposes (Sunday to Saturday) and there are 13 rail periods in a financial year.

138. We continue to monitor Network Rail's accessibility provision, and have conducted site visits to major London stations including Paddington and Euston. Alongside the train companies, Network Rail's managed stations were also included in research we conducted this year to understand passenger experiences of booked assistance. The table below shows how Network Rail performed on the key measures within the research which will be published this summer.

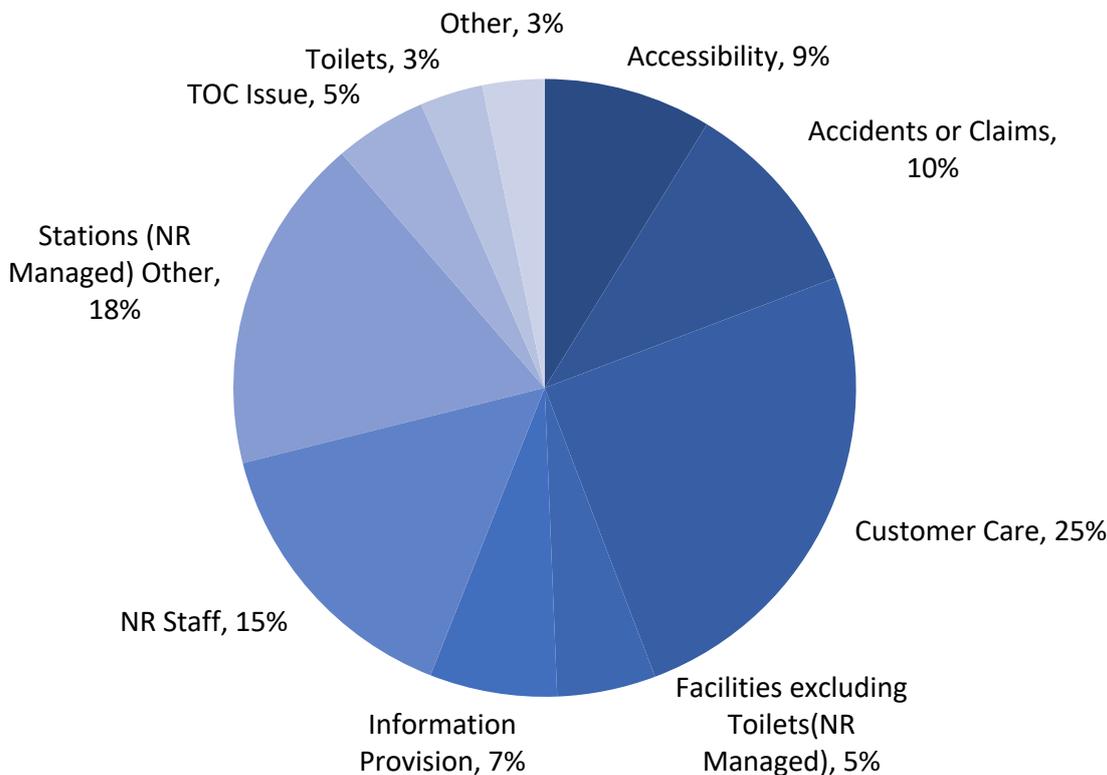
	Sample size	All assistance received	Satisfaction with assistance at station	Overall satisfaction
Network Rail	1,426	76%	89%	86%

- 139. As noted earlier in this document, the results of the research above show that train companies need to improve to provide the service passengers require. We are pleased that Network Rail, alongside two train companies – SWR and Northern - has agreed to take part in a trial of our proposed reliability safeguard measures designed to improve the reliability of Assisted Travel. These proposed measures seek to address a longstanding issue highlighted by both our Assisted Travel research and the research above.
- 140. Network Rail is at the forefront in committing to our proposals as part of our revised DPPP guidance. Particular areas of focus are significantly reducing the notice period for booked assistance, enhancing their current training package⁴⁹ to ensure our training outcomes are met, and providing redress to passengers where booked assistance fails. We are currently working closely with key stakeholders and Network Rail to determine the exact requirements for Network Rail, to be included within our final guidance.

Complaints handling

- 141. This year Network Rail responded to 2,417 complaints related to its 20 managed stations, which while fewer than last year, are a similar volume to two years ago. Station complaints are a small subset of all Network Rail’s overall customer contacts, the vast majority of contacts and complaints it receives relate to areas of operations outside of its managed stations and thus outside of our scope in regulating how Network Rail manages complaints under its CHP. Therefore, the information reported here excludes contacts from consumers about issues such as engineering works, lineside maintenance, and vegetation or fly tipping which can affect those who live alongside tracks.
- 142. The chart below details the main complaints categories at Network Rail’s managed stations.

Percentage of Network Rail station complaints by category



Note: 'Other' category includes complaints about lost property, car parks and retail.
Source: Network Rail

⁴⁹ In 2018/19 Network Rail reported that it delivered 12 diversity and inclusion training courses to 154 staff.

143. We asked Network Rail to set out the measures it had taken to address the main causes of complaints. Network Rail reported that it had introduced free toilet usage at managed stations and that some station toilets had undergone refurbishment. It had also increased the seating capacity at stations to help improve passenger experiences across the network. Network Rail had also reviewed its internal complaints reporting process and introduced a revised internal reporting system to help increase complaint response rates and provide station teams with insights to aid continuous improvement.
144. Licence holders are required to respond to 95% of complaints within 20 working days. Our monitoring of Network Rail's performance on complaints handling this year showed that 82.4% of complaints had a response within 20 working days. Whilst a relatively small number (425) missed the 20 working day timescale, it is important that all licensees adhere to the regulatory requirement in this area. We met with Network Rail to discuss its complaints handling performance and improvements going forwards, and it has voluntarily agreed to go on enhanced monitoring.
145. Network Rail is operating as a devolved business; response times for complaints about managed stations are the responsibility of the region in which the station is located. This year Network Rail introduced a new process for region teams to have oversight of complaints about its managed stations in order to improve response times. Performance across Network Rail's regions varies so over the next year Network Rail will benchmark complaint handling response rates across Network Rail regions to incentivise regions to focus on improving response times. ORR will have oversight of Network Rail's region data and will have quarterly performance meetings to monitor and help drive improvements in complaint handling performance.
146. We worked with Network Rail to help it include our complaint handling survey requirement into its existing customer feedback processes. This meant that Network Rail agreed that it would provide us with 'equivalent data' by providing the survey outputs to us to satisfy our compliance reporting requirement. This year Network Rail received 49 responses to the survey, a number too small for the results to be sufficiently robust for publication.
147. As noted earlier in this document, we formally consulted on changing licences in February to mandate membership of the Rail Ombudsman. We welcome Network Rail's consent to doing so, and we will modify its licence to require membership by franchise rail companies, Open Access Operators and Network Rail from 1 April 2019.

ANNEX A: FINDINGS BY TRAIN COMPANY

[c2c](#)

[Caledonian Sleeper](#)

[Chiltern Railways](#)

[CrossCountry](#)

[East Midlands Trains](#)

[Govia Thameslink Railway](#)

[Grand Central](#)

[Great Western Railway](#)

[Greater Anglia](#)

[Heathrow Express](#)

[Hull Trains](#)

[London North Eastern Railway \(LNER\)](#)

[London Overground](#)

[Merseyrail](#)

[Northern](#)

[ScotRail](#)

[South Western Railway](#)

[Southeastern](#)

[TfL Rail](#)

[TfW Rail \(Arriva Trains Wales\)](#)

[TransPennine Express](#)

[Virgin Trains West Coast](#)

[West Midlands Trains](#)

ANNEX B: COMPENSATION GAP

Introduction

148. In this annex we summarise recent evidence on the so-called 'compensation gap' – that is the difference between delay compensation that is paid out and the compensation that would be paid out if all delayed passengers exercised their right to claim.

Background

149. In our March 2016 response to the Which? super-complaint (**2016 response report**⁵⁰) and July **2017 Measuring Up report**⁵¹, we summarised a range of evidence on the compensation gap. This included:

- Survey evidence carried out by industry commentators, obtained by asking eligible passengers whether they had claimed delay compensation; and
- The results of 'top-down' analysis carried out by ORR. In this analysis, we obtained claims data from train companies and compared this with our own estimates of the number of passengers that have been subject to a delay and would qualify for compensating payouts. We obtained the latter using a combination of detailed train performance data supplied by Network Rail and modelled train loadings from the MOIRA forecasting model.

150. In our 2016 response report, we reported a range of compensation gap estimates available at the time that was wide and sufficiently uncertain to make it inappropriate for us to arrive at a single point estimate of the size of the gap. In summing up, we said: *"overall it seemed fairly likely to us that... around 80% or more of potential claims go unclaimed... but ... value-based estimates are suggestive of a considerably smaller compensation gap."*
151. In our 2017 Measuring Up report we assessed the extent to which progress had been made since the time of the Which? super-complaint and the publication of our 2016 response report. We carried out this assessment on the basis of the (then) newer survey and top-down evidence that had become available subsequent to March 2016. We found that there had been an *"increase of around 10 percentage points [from the estimates available in our 2016 response report] in the proportion of due compensation paid to passengers"* and concluded that it remained the case that *"that a substantial proportion of potential [volume-based] payouts [went] unclaimed."*
152. This annex (**our 2019 update**) summarises evidence on the compensation gap that has become available since we published our 2017 Measuring Up report, with a view to determining whether there has been further progress since the time of that publication.

⁵⁰ http://www.orr.gov.uk/_data/assets/pdf_file/0009/21141/which-super-complaint-response-report.pdf

⁵¹ https://orr.gov.uk/_data/assets/pdf_file/0007/25297/measuring-up-annual-rail-consumer-report-july-2017.pdf

Our top-down methodology

153. This 2019 update closely follows our previous approaches, meaning that the key description and caveats set out in the 2016 response report and 2017 Measuring Up report are equally applicable. The principal features of our approach are as follows.

- Unit of measurement – in our 2016 response report we published estimates calculated based on both the monetary value and number of payouts. As in our 2017 Measuring Up report, this 2019 update focuses on the latter measure only.
 - i. A first reason for this was to facilitate comparison with the available survey estimates, which are all measured in terms of number rather than value of claims.
 - ii. A second and more important reason reflects the limitations of the approach used in our previous analysis, whereby we assumed that all delayed passengers had paid the average fare for the train operator they were travelling with. This means that:
 1. focusing on the number of payouts rather than their value reduces the number of assumptions used in our calculations; and
 2. given that average fares change slowly over time, trends over time in volume- and value-based results would be very similar.
- Time period – we restrict our analysis to data from rail periods 9 through 13 inclusive only, i.e. between mid-November and the end of March. We followed this approach in order to maximise comparability with the results published in our 2017 Measuring Up report.
- Range of estimates - in our 2016 response report we estimated the amount of compensation due by assuming that train companies would be liable to pay delay compensation for all delays of 30 minutes⁵² or more, calculated as the sum of actual minutes of delay and deemed minutes of lateness⁵³. In both our 2017 and 2019 updates we presented figures as a range, whereby we estimate:
 - i. firstly, compensation due calculated using delay minutes only, and hence an **upper bound** for the proportion of compensation that train companies have paid out; and
 - ii. secondly, compensation due calculated (as in our 2016 response report) as the sum of delay minutes and deemed minutes, and hence a **lower bound** for the proportion of compensation that train companies have paid out; and
- Included train companies:
 - i. in our 2017 Measuring Up report we presented estimates which, due to data issues, excluded data relating to Govia Thameslink Railway (GTR); and
 - ii. In this 2019 update, we were obliged to exclude data for train companies that employ the Delay Repay 15 (DR15) compensation scheme. These train companies were c2c, GTR, Northern Railway, South Western Railway, Transport for Wales and West Midlands Trains. The reasons for this are as follows:
 1. The need to maximise comparability with results from earlier years.
 2. Previously published evidence showing that passengers' propensity to claim for delays of 15-29 minutes differs from that of other delay length categories.⁵⁴ This difference would, other things being equal, result in an artificial increase in our compensation gap estimate, reflecting an increase in compensation due but a

⁵²The threshold at which most compensation schemes become available.

⁵³'Deemed minutes of lateness' convert train cancellations into a delay length. This is achieved by measuring the delay suffered by a passenger due to a cancellation with reference to the service frequency multiplied by 1.5. The multiplier of 1.5 has been agreed between Network Rail, train companies and ORR as reasonable. As an example, consider a train that is cancelled on a route with a service frequency of 4 minutes. The passenger is deemed to have been delayed by $(4 \times 1.5 =) 6$ minutes. The less frequent the service, the greater the 'deemed' lateness due to the multiplier, reflecting the greater likelihood of missed connections, amongst other things.

⁵⁴'The claim rate for DR15 is much lower than for DR30...this is likely due to the lower amount of compensation available for a 15 minute delay, and a shorter delay causing slightly less inconvenience when compared to DR30' (pg. 13, Rail Delays and Compensation 2018, Department for Transport).

proportionately smaller increase in claims made. This is especially important in the context of the acceleration in the uptake of the DR15 scheme by companies.

3. Difficulties in separating out relevant and non-relevant payments in the case of companies who had moved to a DR15 scheme during one of our chosen data windows.

2019 Findings

Survey evidence

154. In our 2017 Measuring Up report, we explained that the survey evidence that had become available since the 2016 response report suggested there had been an increase in the proportion of due compensation that is claimed. The survey evidence that has become newly available since the publication of our 2017 Measuring Up report is consistent with a further improvement, albeit at modest levels:

- For DR30, the newest available survey evidence by DfT/Transport Focus⁵⁵ suggests that 39% of claims were paid out, an improvement of 4 percentage points on the figures that were publicly available⁵⁶ in spring 2017.
- For DR15, the same survey found a claim rate of 18%. This is the first time that a 15 minute claim threshold has been included in this survey, thus we have no historical comparator.

155. In this 2019 update we were unable to report on results from Transport Focus's bi-annual National Rail Passenger Survey (NRPS)⁵⁷, which no longer publishes information on the compensation gap.

Top-down analysis

156. As in previous publications, the limitations of our approach, together with important differences that exist between train companies⁵⁸, mean that we have not published results relating to individual train companies.
157. Our estimated proportion of potential compensation claims paid out are set out in the table below. Previously published estimates are given in the shaded cells and have been somewhat revised due to the removal of companies operating DR15⁵⁹.

ORR 'top-down' analysis results, Railway Periods 9 to 13 inclusive

	Lower bound	Upper bound
2014-15	14%	32%
2015-16	19%	40%
2016-17	25%	57%
2017-18	15%	43%
2018-19	19%	57%

158. These results, together with survey results provided by other industry commentators, are summarised in the figure at the end of this annex.
159. In considering the extent of any progress since the publication of our 2017 Measuring Up report, we have focused on the difference between 2016/17 and 2018/19 results. A key reason for excluding 2017/18 from any direct comparisons is that our results for that year appeared to be materially affected by the extreme weather events⁶⁰ that occurred during rail periods 12 and 13 of 2017/18, a time period when our data showed passengers' propensity to make delay compensation claims appeared to be anomalously low.

⁵⁵ <https://www.gov.uk/government/publications/rail-delays-and-compensation-2018>

⁵⁶ <https://www.transportfocus.org.uk/research-publications/publications/rail-delays-compensation/>

⁵⁷ See <http://www.transportfocus.org.uk/research/national-passenger-survey-introduction>

⁵⁸ e.g. in terms of average fares, performance levels, and the generosity of their compensation schemes

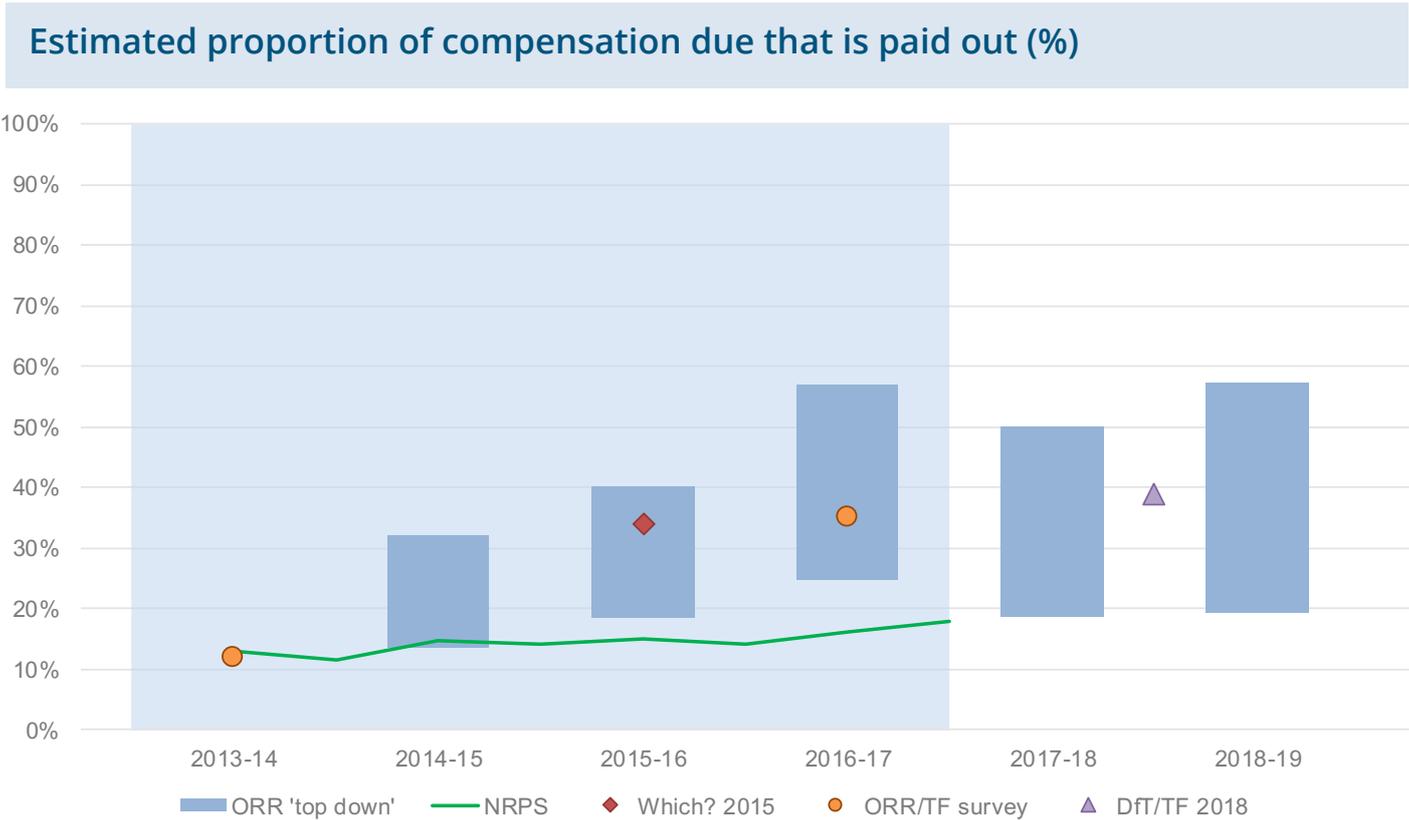
⁵⁹ We have had to remove DR15 companies for all years to maintain comparability between our estimates. This is mainly because of the accelerated uptake in the DR15 scheme in the past two years which, combined with the differing passenger propensity to claim for 15-29 minute delays, means that previously published numbers are not estimated on the same basis as those presented in this update.

⁶⁰ Anticyclone Hartmut occurred between February and March 2018.

160. Our analysis shows a moderate decline in the lower bound (6 percentage points) and midpoint (2 percentage points) of the estimated claim rates between 2016-17 periods 9-13 and 2018/19 periods 9-13, whilst the top of the range has remained steady. Our results should be treated with a degree of caution for the following reasons:
- Modelled passenger numbers from MOIRA may not reflect actual passenger flows. It is not possible to obtain actual passenger numbers on each service operating on the mainline network for various reasons, notably that flexible ticket types do not limit passengers to a particular service; that many stations do not operate ticket barriers; and; the limited current use of smartcards.
 - We took payments made figures submitted by train companies in good faith, conducting only such validation of this data as was possible using previous years' submissions and information that is in the public domain.
 - Whilst we were careful in specifying the data requirement, we cannot guarantee the absence of discrepancies in the way that train companies have treated payments made data. In particular, there may be differences in whether the submitted payment amounts refer to the Railway Period in which the delay/cancellation was experienced, payments were made to the customer or the passenger claimed compensation. It is likely that this is exacerbated by the short window of five Railway Periods used as, with a full year, these discrepancies would have affected a much smaller proportion of the data.
 - The removal of train companies employing DR15 from our dataset has the consequence of reducing the number of companies included in our estimation.

Summary and conclusions

161. Given the measurement difficulties summarised in our previous reports, it is not possible for us to arrive at a single definitive estimate of the proportion of due compensation that is now claimed by passengers. Nor is it possible for us to arrive at a definitive estimate of the extent to which the claim rate has improved. This is because the various results we have obtained using were in a number of cases arrived at using different methodologies. We are, however, able to draw broad conclusions on the direction of change from the results of the various analyses available to us.



162. The table above summarises the evidence available from both survey and our top-down approaches. The blue shaded area represents the evidence that was available to us at the time of and included in our previous publications. As mentioned above, c2c, GTR, Northern Railway, South Western Railway, Transport for Wales and West Midlands Trains were excluded from the ORR top-down range estimates due to their operation of the Delay Repay 15 scheme. Survey evidence encompasses all companies.⁶¹ Our finding can be summarised as follows:

- Survey evidence suggests that there has been a modest improvement since we published our 2017 Measuring Up report. However,
- Top-down analysis indicates that there may have been a modest decline in claim rates over the same period.

163. Taken together, the available evidence suggests that industry performance in paying out compensation claims has, for the DR30 and Passenger Charter schemes, remained broadly steady between 2016-17 and 2018-19. **Ultimately, it remains the case that a substantial proportion of potential payments go unclaimed.**

⁶¹ Our 2019 update analysis includes both DR30 and Passenger Charter schemes but excludes DR15. The DfT/TF 2018 survey evidence presented above covers DR30 only.

GLOSSARY OF TERMS

Alternative Dispute Resolution (ADR) – refers to ways of resolving disputes between consumers and traders that do not involve going to court. Common forms of ADR are mediation, where an independent third party helps the disputing parties to come to a mutually acceptable outcome; and arbitration, where an independent third party considers the facts and takes a decision that is often binding on one or both parties.

Complaints Handling Procedure (CHP) – train and station companies are required by their operating licences to establish and comply with a procedure for handling complaints relating to licensed activities from customers and potential customers. This procedure is known as the 'complaints handling procedure' (CHP). The CHP is approved and monitored by ORR.

Concession train companies – a concession involves an agreement between government or a local authority and a train company to supply rail services. The main difference from a franchise is that the train company is paid a fee to run the service rather than relying on revenue from the passengers or government subsidy. Typically, revenue raised is passed back to the public body that appointed the concession. Concessions are usually very tightly specified, using incentive or penalty regimes (based on meeting certain targets) to encourage good performance. An example of a concession currently operating in the rail market is Merseyrail, which runs services for Merseytravel, the body that manages integrated transport in and around Liverpool.

Consumer law – protection in place to ensure the rights of consumers as well as fair trade, competition and accurate information in the marketplace. In this document referring to The Enterprise Act 2002, The Consumer Rights Act 2015, and The Consumer Protection (from Unfair Trading) Regulations 2008.

Department for Business, Energy and Industrial Strategy (BEIS) – a ministerial department within government supported by 41 agencies and public bodies.

Department for Transport (DfT) – a ministerial department within government.

Disabled People's Protection Policy (DPPP) – train and station companies are required by their operating licences to establish and comply with a Disabled People's Protection Policy (DPPP), approved by ORR. A DPPP sets out, amongst other things, the arrangements and assistance that a company will provide to protect the interests of disabled people using its services and to facilitate such use.

Disabled Persons Transport Advisory Committee (DPTAC) – advises the government on transport legislation, regulations and guidance concerning the transport needs of disabled people, and works to ensure disabled people have the same access to transport as everyone else.

Franchised passenger train companies – a rail franchise is a contract between government or a public authority and a train company to run services within a specified geographic area or route for an agreed period of time. Franchises are awarded through a bidding process where the franchising authority specifies the length of the franchise, service schedules and performance standards, and other requirements such as the passenger compensation scheme that it considers should be in place for passengers within that franchise.

London TravelWatch (LTW) – The independent, statutory body for transport users in and around London. It is funded by the London Assembly and investigates complaints from people unhappy with the response they have received from their transport provider.

MOIRA – a computer model which models the effect of timetable changes on passenger demand and passenger train operator revenue, taking into account factors such as timing and frequency of the proposed services and the location of stops.

National Rail Conditions of Travel (NRCot) – an agreement between a passenger and train company which applies to all domestic (non-international) journeys by scheduled passenger train services on the railway network of Great Britain. They set out passengers' and train companies' rights and obligations when travelling by train.

National Rail Enquiries (NRE) – the source of customer information for all passenger rail services on the National Rail network in England, Wales and Scotland. The National Rail Enquiries website, run by RDG, includes a real-time journey planner, fares and live departure information.

National Task Force (NTF) – the body through which the industry cooperated to improve performance. It brought together passenger and freight operators, Network Rail, the Office of Rail and Road and the Department for Transport. It had set three overarching national themes for attention: better timetables; better operations; and better assets. It has now been transferred to RDG.

Network Rail – the national rail network (track and related infrastructure) is owned and operated by Network Rail. It derives its revenue primarily from charges levied on train operators for access to its network and stations, and from a direct financial 'network grant' from the government. Network Rail also owns and operates 20 of Britain's largest and busiest stations – including 10 stations in London. Part 5 of this report sets out how Network Rail is fulfilling its obligations to passengers under its station licence.

Open access train companies – open access companies do not operate services under a franchise or a concession agreement but they are authorised by ORR to have access to the network on certain routes for a specified amount of time. There are currently three open access companies: Grand Central and First Hull Trains (which operate a small number of services on specified routes in competition to the franchisee on the East Coast main line) and Heathrow Express which runs services from Paddington to Heathrow Terminals. Together they represent less than 1% of passenger miles.

Other non-franchised companies – these include heritage railways, such as those using steam locomotives, and operating as tourist attractions.

Passenger Assist – the central system provided by RDG, which is used by people booking help. It means passengers are able to book assistance without having to contact more than one company.

Passenger Information During Disruption (PIDD) – in 2012, ORR introduced a new condition on the provision of information for passengers into train company and station licences. The purpose was to ensure that passengers receive appropriate, accurate and timely information about train services so they can plan and make journeys with a reasonable degree of assurance. A code of practice was subsequently published and operators published their own local plans to show how they would comply with this. To ensure the code is delivering benefits for passengers we have worked with stakeholders to develop a list of improvement actions to ensure passengers get the information they need when services are disrupted, at the right time, and through appropriate channels.

Rail Delivery Group (RDG) – ATOC (Association of Train Operating Companies) was set up in 1993, as the official voice of passenger train companies. In 2011, it was joined by the Rail Delivery Group which was responsible for policy formulation and communications on behalf of the whole rail industry. In October 2016, the single name of Rail Delivery Group was adopted to describe the two organisations.

Rail Ombudsman – is an independent, not-for-profit organisation offering free, expert service to help sort out unresolved customer complaints about service providers within the rail industry.

Rail Period – the rail industry reports data on a periodic basis different to the widely recognised reporting cycles such as monthly or quarterly. A 'period' is normally 28 days, or four weeks, for business reporting purposes (Sunday to Saturday) and there are 13 periods in a financial year. The length of a period may differ at the end of the financial year, 31 March, and the beginning of the financial year, 1 April, to ensure that a break is made at 31 March.

Ticket Vending Machine (TVM) – a machine that dispenses train tickets at railway stations, transit tickets at metro stations, and tram tickets at some tram stops and in some trams. The typical transaction consists of using the display interface to select the type and quantity of tickets and then choosing a payment method of cash, credit/debit card or smartcard. It also provides for the collection of pre-purchased tickets. The ticket or tickets are printed and dispensed to the user.

Train company – the term 'company' instead of 'operator' has been used throughout this report to refer to passenger and/or station licence holders.

Transport Focus (TF) – Transport Focus (previously Passenger Focus) is the independent transport user representative body. It is structured as an executive non-departmental public body, sponsored by DfT. Its mission is to get the best deal for passengers and road users.

Transport for London (TfL) – TfL is the local government organisation responsible for most aspects of London's transport system.

United Kingdom Regulators' Network (UKRN) – is an association of 11 regulators from the United Kingdom's utility, financial and transport sectors. The network: "fosters close working relationships between member regulators to enhance investment and efficiency for the benefit of consumers in the UK".

The Williams Review – led by independent chair, Keith Williams was established in September 2018 to look at the structure of the whole rail industry and the way passenger rail services are delivered. The review will make recommendations for reform that prioritise passengers' and taxpayers' interests. The review's findings and recommendations will be published in a government white paper in autumn 2019. Reform will begin in 2020.



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