30 June 2026

ORR x Passenger Watchdog Memorandum of Understanding: heads of terms document

This heads of terms document sets out the proposed structure of a Memorandum of Understanding (MOU) that will be produced by the Office of Rail and Road (ORR) and the newly created Passenger Watchdog.

The MoU will set out how the ORR and the Passenger Watchdog will work together to secure improved outcomes for passengers, with the Watchdog leading on advocacy, setting and monitoring consumer standards, investigation and escalation of passenger issues, and ORR providing the complementary monitoring and enforcement of relevant passenger licence conditions. Below, we set out the draft headings from the MOU and a short summary of what each shall include.

1. Parties to the MOU:

This section will set out the organisations that are bound by the MOU, namely the ORR and Passenger Watchdog.

2. Purpose and scope:

The MOU will explain the purpose of the document, that is, to set out the mechanisms by which ORR and the Passenger Watchdog will work together to meet the relevant duties set out in the Railways Bill/Act in the interest of passengers, to hold operators to account, the mechanism for two-way information sharing between the organisations and enforcement escalation procedures.

It will also note the scope of the document, which we propose is limited to the changes brought about by the Railways Bill/Act and any interactions between the functions that are being transferred from the ORR to the Passenger Watchdog.

3. Respective roles and responsibilities of the ORR and Passenger Watchdog:

This section will set out the regulatory roles and responsibilities of each organisation, including the Watchdog's role in setting standards for the industry, relevant to matters that affect the passenger experience including accessibility; and ORR's role as the enforcement body for both GBR and non-GBR licence holders.

4. Principles of our approach:

We intend to include a set of principles to establish the overarching framework both organisations will adopt when working together, to include; *timely*, *transparent*, *efficient*, *collaborative*, *accountable* and *proportionate*.

5. Monitoring and enforcement process:

This section of the MOU will outline the necessary coordination required in seeking to identify and investigate issues, seek early resolution and take enforcement or other formal regulatory action. This will also include detail on the factors that ORR must consider as it determines whether to take enforcement action.

6. Sharing of data and information exchange:

Ensuring the transparent, secure and efficient sharing of intelligence and information between the organisations will be paramount. This section of the MOU will propose how to undertake this, in accordance with applicable laws, rules and regulations.

7. Ongoing engagement and coordination with other authorities:

This section will note the importance of continued collaboration and coordination with other relevant authorities. This could include but not be limited to; the Department for Transport, Great British Railways, the Rail Ombudsman, the Scottish and Welsh governments, the Equalities and Human Rights Commission and local transport authorities in England.

8. Review, amendment, termination:

This section will set out the proposed terms for reviewing or amending the MOU, via mutual agreement from both parties as needed.

Supplementary documents to the MOU:

Alongside the production of the MOU, it is our intention to create a set of supplementary documents to capture more detailed, process-driven agreements, to include setting Service Level Agreements to formalise expectations related to the delivery of data and information sharing. We will establish a clear framework setting out respective roles, responsibilities, accountabilities, and decision-making arrangements, which will be jointly developed and be periodically reviewed and amended to reflect existing working practices outside of the formal MOU review process.

Next steps:

We intend to publish the full, co-signed MOU document, ahead of the date that the Passenger Watchdog assumes its new functions.