

Briefing: What the Railways Bill means for the role of ORR

ORR's Transformation Programme and next steps

46. ORR has initiated a Transformation Programme to create an organisation fit for the future. Through this programme ORR is helping to deliver rail reform successfully while adapting to its new role, supporting thriving and innovative rail and road systems.

47. As train operating companies move into public ownership, ORR is undertaking statutory assessments of train operators' Safety Management Systems (SMS), the formal framework that sets out how they will meet their legal duties to manage their health and safety risks. ORR will continue this work as more operators move into public ownership. ORR will continue to engage with the relevant duty holders on the development and safety validation of GBR's SMS, to make sure changes and their impacts on health and safety have been appropriately assessed and addressed to ensure and enable a safe and effective transition. To support this, in April 2026, ORR published guiding principles for GBR's Health and Safety Management System.

48. ORR has also worked at pace to ensure that newly publicly owned operators hold the appropriate licences and access contracts. We will carry on with this important work to ensure continuity of train services as the remaining DfT operators transition into public ownership.

49. In June 2026, DfT published a policy publication timetable setting out when key documents required to deliver the wider reform programme are expected to be published, including several that ORR is leading or supporting. In parallel with the passage of the Bill, ORR continues to work with DfT, Transport Scotland, Welsh Government, Mayoral Combined and Strategic Authorities, Network Rail, Transport Focus and all relevant stakeholders on non-legislative aspects of the reform programme:

- **The Bill's impact on what ORR does and how it does it:** ORR will develop its new policy approach to its role under the new framework, including its new and reformed functions and duties. ORR will consult on relevant aspects of its approach.
- **Monitoring and enforcement:** ORR will:
 - engage with DfT as GBR's licence is developed, alongside developing its new policy approach to monitoring GBR;
 - continue to work closely with DfT, the Rail Delivery Group and retailers to develop proposals for the new retail management arrangements and code of practice that provides robust safeguards to ensure that GBR acts impartially in overseeing the retail market. A public consultation on a draft Retail Code of Practice will take place in Autumn 2026, ahead of approval by the Secretary of State and publication of the final Code in Spring 2027;
 - collaborate with DfT and Transport Focus to establish the necessary arrangements for the Passenger Watchdog to be ready to exercise its new powers and functions at the point of GBR stand-up, including an MoU to ensure effective coordination and transparency in how ORR and the Passenger Watchdog will work together under the new framework. In summer 2026, ORR and Transport Focus will publish an outline of the MoU, ahead of finalisation later in 2026; and
 - work with DfT, the Passenger Watchdog and non-GBR operators to achieve coherence between their own licence requirements and the requirements on GBR. Later in Summer 2026, ORR will publish a discussion document on its approach to modifications required to non-GBR operators' licences to help ensure railway licensing works effectively in a reformed sector.
- **New funding process:** ORR will work with funders, Network Rail and subsequently GBR on a smooth transition into the five-year funding period to ensure continuity of funding for GBR and the supply chain.
- **Access and use of the network:**
 - Network Rail has published a discussion document on GBR's Access and Use Policy and it has continued to engage with industry, including on charges and performance. ORR will continue to work with Network Rail as it develops the policy and engages with stakeholders. This includes supporting Network Rail in developing its approach to assessing economic value as part of its access

decisions, e.g. in assessing open access applications.

- ORR is continuing to develop its policy approach and process for our future appeals role and recently published a summary of the responses it received to the discussion document it published in December 2025.

- ← Previous Access and use of the network
- → Next Annex A: the legal process for GBR appeals