

ORR Consumer Expert Panel

26 March 2021

25 Cabot Square, London



Agenda

Agenda Item	Presenter	Time
Welcome	Anne Heal	11:30 – 11:40
New member introductions	All	11:40 – 12:00
Consumer Team Update	Stephanie Tobyn	12:00 – 12:15
Comfort Break	All	12:15 – 12:20
Customer / user satisfaction of Highways England	Richard McGreevy	12:20 - 13:00
Lunch		13:00 – 13:30
Network Rail Stakeholder Engagement	Robert Cook and Elisa Cartesi	13:30 - 14:15
ORR Complaint Handling Guidance Review	Sarah Robinson	14:15 – 15:00
Meeting summary & AOB	Anne Heal	15:00 – 15:15

Welcome & introductions

Anne Heal (the Chair) welcomed the panel and outlined the meeting agenda, no conflicts of interest were raised. Apologies were noted from Trisha McAuley.

New member introductions

The Chair formally welcomed the new members and opened the floor to introductions around the virtual table. It was intended that there would be one further member but that recruitment was still in progress.

Consumer Team Update

Stephanie explained how ORR valued the work undertaken by the panel and the contribution it makes to our policy work. To ensure that ORR continues to benefit from the panel's valuable input, Stephanie offered to discuss ORR's work further as part of an induction if any member would find this of use.

Stephanie provided a high-level overview on the large number of projects currently being undertaken by the Consumer Policy Team. Whilst most of these fell within ORR's licensed activities, Stephanie highlighted that the Team had also recently been given a new role to enforce the international health protection regulations as they pertain to ORR.

Stephanie noted that the Rail White Paper is due to be published in the near future which will have various impacts on the work that comes before the panel. The panel discussed the

potential impact of the White Paper, and also how covid-19 may, in future, influence the rail industry. In response to whether it may be helpful for the panel to have an horizon scanning session, Stephanie clarified that the role of the panel was not to act as a challenge group and that ORR would not bring industry matters to the panel which were not within ORR's ambit.

Action Point arising from this item: N/A

Customer / user satisfaction of Highways England

Richard McGreevy from the ORR Highways team outlined the role of the ORR as the Highways Monitor for the Strategic Road Network (SRN), and the monitoring of users' satisfaction. The SRN covers 4,300 miles of motorways and major A-roads, and is operated by Highways England (HE). HE is a publicly owned company established, under the Infrastructure Act 2015, with a single shareholder, the Secretary of State for Transport.

The ORR is responsible for monitoring and enforcing the performance and efficiency of HE, and its role broadly, encompasses the following four tasks:

- to monitor how well HE is delivering against the Performance Specification, Investment Plan and aspects of its licence, and to publicly report our findings and to advise the Secretary of State;
- to advise the Secretary of State on the development of the next Road Investment Strategy including advice on challenging and deliverable efficiencies;
- if there are problems with delivery, to require improvement and potentially levy a fine; and
- to advise the Secretary of State on any other relevant issues they request.

Improving customer responsiveness was one of the key rationales for establishing HE, and evaluating user satisfaction survey results is a primary component of our monitoring framework.

Road Period 1 (RP1), for 2015-20, user satisfaction was measured using the National Road User Satisfaction Survey (NRUSS). Highways England did not meet the target of 90% but satisfaction scores improved towards the end of RP1. A new survey, the Strategic Road User Survey (SRUS), with a more robust survey methodology, was commissioned for the second road period (RP2), 2020-25. The initial target of 82% for the SRUS was set based on NRUSS and SRUS data available in RP1.

However, the face-to-face SRUS data collection has been on hold since the start of RP2 because of Covid-19. Although the survey is moving to an on-line form of data collection we still have almost a year with no SRUS data. In response to this we are working on a three-step approach to monitoring Highways England performance, more qualitatively. This involves other on-line surveys, HE's customer service plan delivery and data from other road user organisations.

Mike Hewitson of Transport Focus who commissioned the survey noted that they will look at ways of filling gaps in the data albeit going online was the only way to do the survey in the current environment. Panel members commented that when new technology is introduced, there is always a heightened sense of risk and this is a topic that the Consumer Expert Panel would be happy and willing to offer insight into. Richard noted that this is definitely an emerging issue for ORR.

Action Point arising from this item: N/A

ORR's annual assessment of Network Rail's stakeholder engagement

In the PR18 Final Determination, ORR committed to performing an annual assessment of Network Rail's stakeholder engagement with the aim to i) incentivise Network Rail to engage with its stakeholders and, ii) support continuous improvement in Network Rail's engagement methods. ORR published the first annual assessment in August 2020.

For the year 1 assessment, the Consumer Expert Panel provided valuable inputs to our approach and our final report. As such, Rob Cook and Elisa Cartesi sought the contribution of the newly constituted Panel for the year 2 assessment. They provided a brief update for the Panel on the year 2 assessment and proposed the constitution of a sub-panel to: i) review the business units' self-assessments in May 2021 and provide views on these and, ii) review a draft of the final report in July/August 2021.

The panel provided feedback on one of the inputs to the assessment, the survey, together with comments on the sample and questions. There was considerable interest from panel members in joining the sub-group to provide the assistance proposed.

Action Point arising from this item:

The panel members are invited to express interest in joining the sub panel.

ORR Complaint Handling Guidance Review

Sarah Robinson discussed the work being done to review ORR's complaints handling guidance. Sarah noted that the guidance was published in 2015 and as such, had to be updated with industry developments for example the creation of the Rail Ombudsman. ORR also wished to go further than simple updates and ensure the guidance reflected current good practice.

On that basis, Sarah welcomed the panel's input into ORR's emerging thinking on areas such as signposting to the Ombudsman, timescales for referral, performance metrics, and the guidance itself.

Panel members noted that a reduction in the timescale for Ombudsman referrals would be a good step, and there was support for both a phased approach and a direct reduction. They considered that whilst new metrics such as average response times would be helpful, it was important that there should not be an over-emphasis on speed; quality and root cause analysis was equally of value particularly when satisfaction is low.

Continuing on this theme, the panel noted in particular that a reduction is a step that should not be difficult for train operators to accomplish as the majority of complaints seem to be based on transactional issues. They suggested that greater transparency in the guidance about the roles of Transport Focus and the Ombudsman would help consumers understand this better. There was some support for ORR to replace its current guidance with a Code of Practice instead.

In response to a comment from panel members about learning from best practice in other regulated sectors, Sarah confirmed that ORR had commissioned research from Queen Margaret University on this. The panel suggested that the rail industry can learn from how major companies in retail and other sectors deal with complaints and what the rail industry can learn from the leaders in this space. The importance of continual learning not just from

the complaints themselves but from how other industries approach complaint handling was highlighted.

Sarah asked the panel to consider how we might build social media into the complaint handling landscape within the rail industry. In response, panel members noted that there may be a tendency for the younger generation to view an engagement with a company Twitter feed in the same way that someone from an older generation would view a letter.

The panel also noted that every complaint is an opportunity to learn a lesson so it would be disappointing not to make use of them. They added that major companies tend to respond immediately on social media. This is something that the rail companies will have to come to terms with so now may be the time for ORR to send a signal to start them on that journey.

Meeting summary and close

The chair thanked all members for their participation and brought the meeting to a close.

END