

Monitoring National Highways' Non-User Engagement

Office of Rail and Road

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FINAL REPORT

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EXECUTIVE SUMMARY

The purpose of this study is to improve the ORR's understanding of the extent and effectiveness of National Highways engagement with non-users in communities adjacent to the SRN. National Highways has a range of obligations under its licence and in wider legislation, but it also has a social obligation in terms of minimising its impact on those who live and or work adjacent to the SRN.

Summary of main findings

ORR asked CEPA to consider a number of questions and our summary findings are provided below.

ORR asked:

- **How does National Highways think about non-users in communities?**
- **How does it group and classify members of communities who may not be road users?**
- **Does it have a commonly understood definition across its business, akin to its definitions of the customer?**

We find that National Highways does not have a formal definition or classification for non-user groups.

However, National Highways was able to demonstrate that it considers non-users effectively in the planning process for its major schemes. As such we are not unduly concerned that National Highways' less defined approach to segmenting non-user groups would necessarily lead to detrimental outcomes for particular groups. For example:

- Major Projects uses a household segmentation tool to help regional communications teams understand the demographic characteristics of the communities that live along the route.
- Project engagement leads will liaise with local authorities to establish which groups / organisations need to be consulted with and have consultation material prepared in languages other than English.
- National Highways has established a Roads for All Forum to listen to the experiences of different disabled people to better understand how it could improve to meet their needs.

ORR asked us to help it understand how National Highways takes account of local non-user community needs and priorities in its planning and delivery of schemes?

National Highways has effective means of capturing non-user views on schemes in delivery and development. For example it has a range of statutory duties to carry out engagement with local communities and other stakeholders. The DCO process contains requirements on engagement with local communities affected by the scheme, and National Highways must have regard to all responses received to statutory consultations in relation to the decision on which it has consulted.

In some cases, National Highways has published updates on consultation feedback in the form of "*We asked, You said, We did*" pages on its Citizen Space consultation site. This provides some transparency on how non-user engagement has influenced or changed National Highways' decisions.

National Highways considers potential stakeholders and customers who may reside outside of the direct project area. Its media and communications plans reflect localised requirements by way of either direct mailing, local/regional advertising and targeted activities for all of the groups and organisations who may be affected. The size and complexity of the scheme are also considered when planning consultation activity.

The Company provided several examples of activities undertaken to improve opportunities for local groups to engage:

- National Highways' approach to consultation on enhancement schemes often goes beyond what is statutorily required, by running early 'pre-statutory' engagement during the options assessment phase.

- It requires that project teams create a plan for communicating with customers and local communities during the planning and delivery phases and provides guidance on issues that the project team should cover in that plan.
- It has dedicated roles both in its in-house programme teams and in the supplier project team dedicated to community and customer liaison.

Overall, we did not find any notable concerns with National Highways' high-level approach to engaging with non-user groups in its planning and delivery of schemes. In our view, there may be opportunities to do more in response to themes that emerge from complaints about the impacts of construction on local communities. Actions might include issuing more prescriptive guidance to its workforce and supply chain and use a range of methods to advise non-users that works are ongoing and of the likely impacts they may experience.

ORR asked us to help it understand how National Highways' Operations directorates engage with non-users in communities, and how they share best practice, including: how issues are recorded; how patterns are identified; how mitigations are prioritised and delivered; and whether issues are effectively dealt with and closed to the satisfaction of those who raised or were impacted by the issue.

National Highways' Operations directorates engage with non-users and local communities through similar channels to the Major Projects directorate – although there is clearly a different driver for that engagement, being largely focused on customer complaints and reporting of defects.

Recognising that things can and do go wrong, National Highways also provides multiple channels for local communities to submit complaints about schemes and general maintenance issues. There is some in-person engagement, but digital and social media channels are becoming increasingly important. There is an escalation process where a complaint has not been resolved to the satisfaction to the person by whom it was raised.

National Highways' Operations team track and report on complaints / engagement numbers internally. The data collected and shared is used to inform action plans to ensure that key themes are being extracted and considered / acted upon by the relevant customer service groups. Although this is done by the national operations teams, regional operations teams also have access to the data which they are able to use to inform regional action plans.

We find that the Company does not rank its regional Operations directorates in terms of best practice, but each year the regions must complete a 'Customer Maturity Assessment'. This assessment not specific to non-users, but we were told that non-users are considered in how the self-assessment is completed. Finally, we note that best practice is shared at a national customer service forum.

ORR asked us to help it understand how National Highways ensures that non-users with protected characteristics can engage with the Company; and how National Highways engages with non-user groups who are 'harder to reach' more broadly.

National Highways was able to share evidence of its processes in terms of making consultation accessible to those who are disabled and/or who have other protected characteristics. It has a range of standard consultation processes and impact assessments (including Equalities Impact Assessment (EqIA)) which ensure that it engages with non-users with protected characteristics under the Equalities Act. For example:

- If a consultee requires access to consultation documents in different format, e.g. a braille or large print version, National Highways will issue these as requested.
- On the Lower Thames Crossing, National Highways organised focus groups with members of the community with protected characteristics to encourage and aid them in responding to the consultation.
- We have seen examples of National Highways issuing consultation materials in different languages to reflect local demographics.

National Highways also engages with other 'harder to reach' local stakeholders, for example through Local Access Forums, national and project specific working groups, and by reaching out to specific groups during the consultation process.

ORR asked us to consider how National Highways has adapted its engagement with non-user groups given the impact of the COVID-19 pandemic.

We find that National Highways has adapted to digital methods of consultation and engagement during the pandemic, and its overall approach is similar to other organisations, e.g. TfL. National Highways considers that this online approach has proven reasonably successful considering the circumstances. ORR might consider asking the company to provide a comparison of total engagement numbers / rates pre- and post- Covid-19.

Online and virtual engagement may help engagement with certain groups – particularly with time-poor demographics and groups with lower strength of feeling towards the Company’s schemes. A range of engagement channels are available for non-users depending on their preference, including telephone appointments and one-to-one meetings by request.

We understand that National Highways is now conducting in-person consultation events again whilst retaining online methods. This is positive, particularly for stakeholders with stronger feelings towards the scheme who may need to be more carefully managed, and for stakeholders who are less digitally engaged.

Recommendations

Overall, we conclude that National Highways process are largely sound. There is scope for improvement at the margins and inevitably scope to review and enhance current processes over time. To this end we make a small number of recommendations below.

Issue	Recommendations
Engagement during scheme planning	We recommend that ORR should encourage National Highways to continually seek new ways to engage with the widest possible audience, make it easy for non-users to engage with it, and extend some of the services it already provides, e.g. text alerts if there is a breakdown on the diversion route; or when there will be night time working.
Early engagement and consultation	We recommend that ORR encourages National Highways to build on its existing approach to early engagement and pre-statutory engagement by more consistently employing initiatives such as the “We asked, You said, We did” responses to early consultation exercises across its portfolio.
Engagement during scheme delivery (impact of diversions on local communities)	ORR should encourage National Highways to consider what more it can do to address the key concerns raised by local communities during construction, including whether more prescriptive guidance on diversion routes during the planning phase might be beneficial, or potentially extending the customer service standard for diversion routes to explicitly consider the impact on deprived communities and non-users with protected characteristics, and how these impacts might be avoided. Also including expanding the use of Postal/email/text alerts to warn local communities about overnight works and manage expectations.
Independent scrutiny of the Company’s and supply chain’s actions	Noting that the SRN impacts on a large number of neighbouring communities; and that the RIS2 investment programme is larger and higher profile than previous periods, ORR should encourage National Highways to consider what might be learnt from the Heathrow Community Engagement Board and HS2 Resident’s Commissioner, in terms of independent scrutiny of relations between the Company, the supply chain and local communities.
Operations	National Highways provided evidence that it tracks and reports on complaints / engagement numbers internally and that local teams can access the data and produce their own action plans. We did not see evidence of the impact that this is having and so we suggest that ORR follows up with National Highways to gain an understanding of the improvement that tracking and monitoring is delivering.
Effectiveness of online consultations	We understand that national Highways has carried out some analysis of the effectiveness of online consultation, but we have not seen it. ORR may wish to follow up on this, seeking a copy of the findings and recommendations for its own review.

1. INTRODUCTION

This report is one of three commissioned by the ORR in relation to its independent monitoring of National Highways' management of the Strategic Road Network (SRN) in Road Period 2 (RP2) and beyond. These reports consider, respectively, National Highways' biodiversity performance; the potential content and coverage of National Highways' environmental performance framework in RP3; and the Company's engagement with non-user groups.

1.1. BACKGROUND AND OBJECTIVES OF THIS STUDY

The purpose of this study and report is to improve the ORR's understanding of the extent and effectiveness of National Highways' engagement with non-users in communities adjacent to the SRN.

As manager of the SRN, National Highways has a range of licence-based and statutory obligations to engage with local communities and other stakeholders in the vicinity of, and affected by, its network. For example:

- The Company's Licence sets out the need to co-operate with local communities in day-to-day operations, and on long-term planning, in a way that is open and transparent; positive and responsive; and collaborative.¹
- The development consent process for projects designated as Nationally Significant Infrastructure under the Planning Act 2008 contains requirements on engagement with local communities affected by a scheme.²
- As a public body, there are a wider set of legislative obligations that apply to National Highways and impact on the way it must conduct its engagement. For example, National Highways has a Public Sector Equality Duty (PSED) which must be considered in the exercise of its functions³; and it must adhere to the 'Gunning Principles' of fair and effective consultation, including tailoring its consultation efforts to groups who are less likely to engage via traditional consultation methods.

Ultimately, these obligations exist because it is important that National Highways recognises how disruptive construction, renewals and maintenance work can be for local communities; that particular groups within the local community can be impacted differently depending on their characteristics and circumstances; and that its projects present an opportunity for delivering longer-term community benefit.

Getting engagement right is important to National Highways as well – if a scheme impacts on a local community and the Company does not properly engage, that can have a negative impact on the success of the scheme. For example, it will increase the likelihood of schemes being rejected at the development consent / planning phase, or requiring additional mitigations and design changes that add cost and delay.

It is also a wider issue about the Company's 'social licence' to operate because engagement with non-users is not limited to the development of enhancement projects or the planning and delivery of major roadworks. It is also about how the Company responds to local communities when things go wrong; and how it mitigates the negative effects of traffic (e.g. noise and pollution etc.) on the lives of those who live or work nearby.

¹ Department for Transport (2015) Highways England: Licence – Secretary of State for Transport statutory directions and guidance to the strategic highways company. See pages 8, 13 and 14. Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/431389/strategic-highways-licence.pdf

² The Highway and Railway (Nationally Significant Infrastructure Project) Order 2013; Amendments to section 22 of the Planning Act 2008.

³ Ministry of Justice (2011) Public sector equality duty. Available at <https://www.gov.uk/government/publications/public-sector-equality-duty>

1.2. SCOPE OF THIS REPORT

In particular, the ORR asked us to answer the following three questions:

- How does National Highways think about non-users in communities? How does it group and classify members of communities who may not be road users? Does it have a commonly understood definition across its business areas, akin to its definitions of the customer?
- How does National Highways take account of local non-user community needs and priorities in its planning and delivery?
- How does National Highways compare to other public sector transport infrastructure managers, such as Network Rail or local highways authorities, in engaging with non-users within local communities?

ORR also asked us to compare different regions of National Highways' operations in terms of best practice in engaging with non-users within communities, including how issues are recorded, how patterns are identified, how mitigations are prioritised and delivered, and whether issues are effectively dealt with and closed to the satisfaction of those who raised or were impacted by the issue.

In addition, ORR wanted the study to consider the impact of the COVID-19 pandemic on National Highways' engagement with non-users within local communities; and to consider how National Highways ensures non-users in the community with protected characteristics can engage with National Highways.

1.3. STRUCTURE OF THIS REPORT

The remainder of this report reviews the extent and effectiveness of National Highways' approach to engaging with non-users and communities adjacent to the SRN, and how it fulfils its licence-based and statutory obligations. It is structured as follows:

- Section 2 describes National Highways' approach to engaging with non-users on the planning and delivery of improvement schemes (or 'enhancements') by its Major Projects directorate.
- Section 3 focuses on the approach adopted to non-user engagement by the regional Operations directorates, including the Company's complaints handling process.
- Section 4 focuses on National Highways' approach to engaging with groups that are 'harder to reach' because they are typically fewer in number and have characteristics that are not well captured by general survey or consultation methods.
- Section 5 provides three case studies of how non-user engagement is approached by other transport infrastructure managers, and some high-level lessons that ORR and National Highways might consider.
- Appendices A to C contain further supporting evidence provided by National Highways in support of this review.

2. REVIEW OF MAJOR PROJECT (MP) SCHEME ENGAGEMENT PROCESSES

Effective engagement with non-user groups and local communities is necessary to help National Highways to deliver the RIS2 investment programme successfully and mitigate the impact of its works on neighbouring communities. In this section we focus on how National Highways approaches non-user engagement around the planning and delivery of its enhancement schemes, starting with how it defines ‘non-users’.

2.1. DEFINITIONS AND CLASSIFICATION OF NON-USER GROUPS

ORR asked:

- How does National Highways think about non-users in communities?
- How does it group and classify members of communities who may not be road users?
- Does it have a commonly understood definition across its business, akin to its definitions of the customer?

Key findings:

We find that National Highways does not have a formal definition or classification for non-user groups.

Overall, National Highways was able to demonstrate that it considers non-users effectively in the planning process for its major schemes, such as undertaking planning exercises to better understand the local community and the groups affected by its works. As such we are not unduly concerned that National Highways’ less defined approach to segmenting non-user groups would necessarily lead to detrimental outcomes for particular groups.

For example:

- Major Projects uses a household segmentation tool to help regional communications teams understand the demographic characteristics of the communities that live along the route.
- Project engagement leads will liaise with local authorities to establish which groups / organisations need to be consulted with and have consultation material prepared in languages other than English.
- National Highways has established a Roads for All Forum to listen to the experiences of different disabled people to better understand how it could improve to meet their needs.

Customer segmentation is a method used by businesses to better understand their target audience by grouping customers based on common characteristics, often including demographic traits, personality types, habits etc. We understand from our previous work on road user satisfaction that National Highways has developed a customer segmentation model that applies to road user groups, and is helping it to build a broader and deeper understanding of road users and how they differ in attitudes, behaviours and priorities. Amongst other uses, it is helping the Company to improve the targeting of information campaigns and other customer-facing services.⁴

In the context of this report, we asked National Highways whether it has developed and/or applied a similar segmentation approach to non-user groups. It told us that it does not currently have a formal definition or segmentation approach to ‘non-user’ groups, akin to the segmentation approach it has developed for road users.

However, although it does not have a formal definition or classification for non-user groups, National Highways told us that it does undertake stakeholder mapping exercises as part of scheme development that require some categorisation of local groups around the scheme. Stakeholder maps typically identify local communities and their leaders or groups as important stakeholders, some of which represent non-users of the SRN (for example, landowners, parish councils, residents' groups).

⁴ CEPA (March 2021) “Workstream 3: Customer satisfaction and learning from SRUS” available [online](#).

Figure 2.1 below displays the type of categorisations that have been identified in several case studies provided by National Highways.

Figure 2.1: National Highways’ engagement methods and concerns differ depending on a number of factors.



Source: Compiled by CEPA based on case study information provided by National Highways, supplemented by online research.

National Highways told us that the types of stakeholders that it routinely engages with include:

- representatives of local communities and organisations;
- local political stakeholders;
- local business or land owners; and
- specific interest groups (including local community interests and wider environmental action groups).

Overall, we are not unduly concerned by National Highways’ less defined approach to segmenting non-user groups. The purpose of segmentation is to better understand how target groups might differ in terms of how they experience impacts from the SRN, and how they might be willing to engage with the Company. In this respect, National Highways provided some examples which demonstrate that it is developing a good understanding of the local communities affected by its network, often (but not only) during the planning process for its major schemes.

For example, its Major Projects directorate uses the ‘Acorn’ software (see Box 1 below). Acorn is a widely used geographical consumer segmentation tool which categorises the UK’s population into demographic types. Acorn segments households, postcodes and neighbourhoods into 6 Categories, 18 Groups and 62 Types based on demographic, behavioural and attitudinal attributes (see Appendix A). National Highways uses Acorn to better understand the composition of the communities that live with in the vicinity of any part of the SRN, their lifestyles and communication preferences. An Acorn report is produced that includes characteristics of the area including wealth, job skills, education, family set up, and ethnicity amongst other factors. National Highways told us that the Major Projects directorate uses these outputs, combined with other sources of local intelligence, to work with their supply chain partners to develop a more tailored scheme communication plan and associated tools.

Box 1: Use of Acorn on the A66 Northern Trans-Pennine scheme

The A66 North Trans-Pennine project involves the upgrade of seven sections of single carriageway to dual carriageway standard along the A66. An Acorn report was produced to identify the make up of the community living around the affected area.⁵

⁵ National Highways and CACI (2020) Acorn Profile for A66.

Box 1: Use of Acorn on the A66 Northern Trans-Pennine scheme (continued)

The study area is categorised into Acorn “groups” that describe the type of people living there. Included in the report is a postcode sector map of the study area shaded according to the dominant Acorn group. The largest group identified in this area is 3.F Countryside Communities. Examples of other groups identified in this study area include: 1.B Executive Wealth, 1.C Mature Money, and 4.L Modest Means. After mapping the communities, the report contains a summary section on each Acorn “type” describing characteristics and attitudes of the people typical of that type. Importantly for National Highways, this contains information on internet access, digital attitudes, social media activity etc., that can help to target methods of communication appropriately. In this case, 84-94% of people in the area access the internet at least weekly. In the “Modest Means” groups, 12.1% have never used the internet.

For the A66 Northern Trans-Pennine project, National Highways produced an “Approach to public consultation” report, stating the range of methods those living in the local area can use to engage with the project.⁶ This included: public consultation events; a project webpage including online response forum; a public consultation brochure delivered and made available in local libraries; and council and community / area forum briefings. Consultation comments could be submitted online, by freepost, or by attending a public consultation event. The range of activities allowed non-internet users in the area to engage in the process.

Source: National Highways

Finally, although National Highways does not have a formal definition, grouping and/or classification system for non-user groups, we do not find that this would necessarily lead to detrimental outcomes for particular groups. The Company told us that its processes capture certain differences between groups to ensure that a range of views are gathered during its consultation and engagement exercises. For example:

- Where demographic analysis shows that there is a high percentage of ethnic minority groups in the area around a major scheme, National Highways will contact local groups and religious establishments and, in most cases, will liaise with the local authority in the area to establish which groups / organisations need to be consulted with and have consultation material prepared in languages other than English.
- National Highways established a Roads for All Forum in Autumn 2018 to listen to the experiences of disabled people to better understand how it could improve to meet their needs. Whilst this is focused on disabled road users, it could in theory be extended to understand how disabled groups might respond to different engagement approaches.

We cover National Highways’ approach to engaging with groups who are ‘harder to reach’ via traditional survey and engagement methods in more detail in Section 4.

2.2. NON-USER ENGAGEMENT IN THE PLANNING AND DELIVERY OF ENHANCEMENTS

ORR asked us to help them better understand how National Highways takes account of local non-user community needs and priorities in its planning and delivery of enhancement schemes.

Key findings:

National Highways has a range of statutory duties to carry out engagement with local communities and other stakeholders. For example, the DCO process contains requirements on engagement with local communities affected by the scheme, and National Highways must have regard to all comments received to the statutory consultation in relation to the decision on which it has consulted.

In some cases, National Highways has published updates on consultation feedback in the form of “*We asked, You said, We did*” pages on its Citizen Space consultation site. This provides some transparency on how non-user engagement has influenced or changed National Highways’ decisions.

National Highways considers potential stakeholders and customers who may reside outside of the direct project area. Its media and communications plans reflect the localised requirements by way of either direct mailing,

⁶ National Highways (2019) A66 Northern Trans-Pennine project - Approach to public consultation.

local/regional advertising and targeted activities for all of the groups and organisations who may be affected. The size and complexity of the scheme are also factors when planning consultation activity.

The Company provided several examples where it has improved opportunities for local groups to engage:

- National Highways' approach to consultation on enhancement schemes often goes beyond what is statutorily required, by running early 'pre-statutory' engagement during the options assessment phase.
- It requires that project teams create a plan for communicating with customers and local communities during the planning and delivery phases and provides guidance on issues that the project team should cover in that plan.
- It has dedicated roles both in its in-house programme teams and in the supplier project team dedicated to community and customer liaison.
- Overall, we did not find any notable concerns with National Highways' high-level approach to engaging with non-user groups in its planning and delivery of schemes.

But we recommend that **ORR encourage National Highways to continually seek new ways to engage with the widest possible audience, make it easy for non-users to engage with it, and extend some of the services it already provides**, e.g. text alerts if there is a breakdown on the diversion route; or when there will be night time working.

To address the scope of this question, we consider how National Highways' approach differs depending on *when* it engages with non-users and local communities, under the following headings:

- Early engagement and consultation on scheme options;
- Engagement on scheme planning and design; and
- Engagement during scheme delivery.

We start this section by noting that National Highways tracks projects at each stage of the Project Control Framework using the 'Customer Assurance Framework' (CAF) as a first line of defence. The CAF provides the delivery and programme management teams with a framework to track, assess and measure progress against known 'customer pain moments' which have been identified in National Highways' research. It ensures that project teams are required to demonstrate how they plan to implement standard controls and best practice with regards to community engagement, and work to deliver better outcomes. The framework is used to capture what projects are doing and score them based on attainment against each requirement. National Highways told us that projects that are performing well against the CAF are stretched to do even better, and best practices are captured so that they can be applied across other projects. Projects that are performing badly are subject to an improvement plan monitored by National Highways customer programme leads.

2.2.1. Early engagement and consultation on scheme options

National Highways highlighted to us that there is often significant engagement with non-user groups and local communities even before an improvement scheme enters the RIS pipeline.

For example, it is currently exploring what opportunities exist to reduce congestion on A34 north and south of Oxford, and its early work includes speaking to local stakeholders and key partners so that the Company understands what is important to their communities. National Highways commissioned research into people's perceptions of the roads and their experiences of travelling in the area. It has carried out dedicated focus groups with walkers, cyclists and horse riders about their experiences of the A34 and how it affects them both directly and indirectly. The National Highways website also provides opportunities for local communities to subscribe to email updates on the project and provide comments to a project-specific email inbox.⁷

⁷ National Highways (November 2021) "What do professional drivers, walkers, cyclists and horse riders think of the A34?" available [online](#).

Once in the RIS pipeline, most improvement projects begin with a consideration of *Options* in order to identify the preferred solution. Engagement at this preliminary stage is important in identifying possible issues with route options and gather input from the community as early as possible, to reduce the likelihood of issues arising later in the design process, where it may lead to additional cost and delay; or potentially resulting in objections to the scheme from local communities arising through DCO process.

National Highways' public consultation process usually starts once it has a set of options for people to comment on. In the first instance, National Highways will often undertake a 'pre-statutory' consultation with local communities to present information on potential scheme options (including an assessment of those options in terms of environmental impact, traffic forecasts, estimated cost and economic benefits) and seek feedback. The public consultation usually runs for around six weeks.

After this public consultation exercise, National Highways publishes a public consultation summary that presents the key findings from the consultation and sets out the next steps for the development of that scheme. Before selecting the preferred route, National Highways must analyse and take into account the consultation feedback.

An example 'options-stage' public consultation summary report on the M1 / M62 Lofthouse Interchange is shown in Box 3 on the following page.

In some cases, we note that National Highways has undertaken more than one round of consultation at the non-statutory / options stage. For example, in the case of the A12 Chelmsford to A120 widening scheme, an initial consultation took place in 2017 on scheme options which was then re-run in 2019 to better accommodate joint local housing settlement proposals proposed by the local authorities in the region.

Box 2: A12 Chelmsford to A120 widening scheme

The A12 is an important link in Essex and across the east of England, connecting Ipswich to London and to the M25. In 2017, National Highways consulted on proposals to widen the A12 from Chelmsford to the junction with the A120. It presented four options for the stretch of road running from junctions 19 to 25. Subsequently, the local authorities of Colchester, Braintree and Tendring put forward a joint local plan that proposed several new and/or extended "garden communities", which required National Highways to revise its proposals to better accommodate one of the new communities, if it goes ahead.

National Highways re-ran a consultation exercise in 2019 on a set of four new route options, and provided updated information on the impacts of each scheme on a range of environmental factors; the local community; walkers, cyclists and horse riders; safety; and traffic flows.

In August 2020, National Highways announced the preferred route and the reasons for its decision, including: environmental impacts; journey times; complexity of build; affordability; feedback from the public, and the decision by the local authorities to remove the Colchester Braintree Borders Garden Community proposals from the joint Local Plan for that area.

A further consultation on the preliminary scheme designs was launched in November 2021.

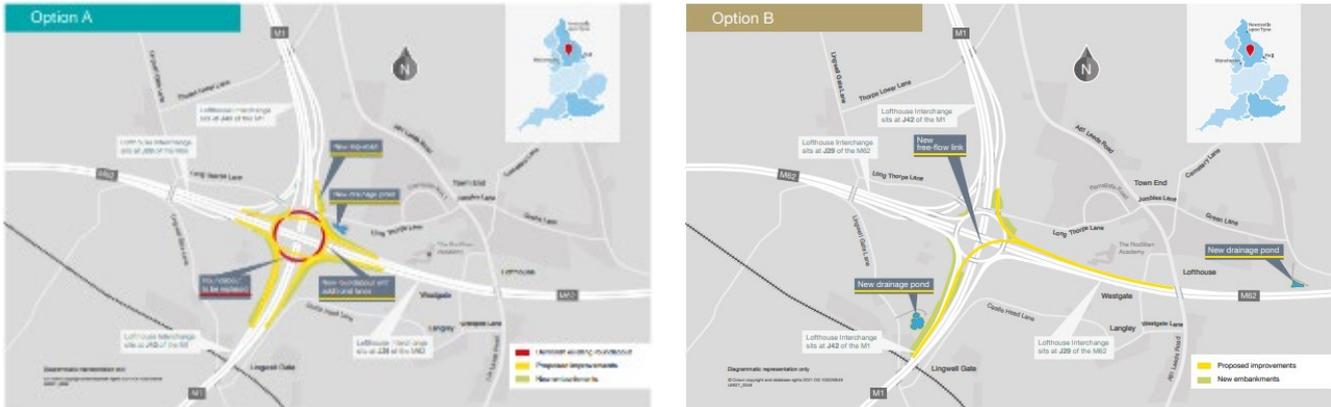
Source: National Highways (December 2021) "A12 Chelmsford to A120 widening scheme" available [online](#).

By running early 'pre-statutory' engagement during the options assessment phase, we note that National Highways' approach to consultation on enhancement schemes often goes beyond what is statutorily required. This is common practice amongst managers of public infrastructure networks, as is important given that proposals should be consulted on before a final decision has been made, when stakeholders still have the opportunity to shape the Company's proposals and offer the benefit of their local experience. **To maximise the effectiveness of early engagement, we recommend that ORR encourages National Highways to build on its existing approach to early engagement and pre-statutory engagement by more consistently employing initiatives** such as the "We asked, You said, We did" responses to early consultation exercises across its portfolio.

Box 3: Public consultation on options for the M1/M62 Lofthouse Interchange scheme

National Highways held a public consultation from 1 November to 10 December 2021 to listen to the views of the local community and stakeholders with regards to the current issues with congestion at peak times and associated accidents at the M1/M62 Lofthouse Interchange, and to accommodate forecast traffic growth. The consultation was also designed to gather feedback on which of the three options presented for consultation would help improve the current challenges.

Example maps illustrating options being consulted on



Consultation findings

A total of 841 responses were received during the consultation. Eight hundred and twenty eight of these respondents used the response form provided. A summary of the key findings can be found below.

4 out of 5 people think the junction needs improving

Of the 828 response forms received, more than four out of five (85%) of them agreed that there is a need for improvements at the Lofthouse Interchange.

- 85% of respondents agreed there is a need for improvements at the Lofthouse junction.
- 42% of respondents are currently dissatisfied with the road safety at the junction.
- 71% of respondents identified as local residents.
- 24% of respondents said they work near to the scheme.
- 74% of respondents travel through the junction regularly using a private vehicle, with 12% using a commercial vehicle.
- 76% of respondents reported using the junction to travel for leisure and recreation.
- 67% of people using the junction are also travelling more than 10 miles.
- 77% of respondents would like to see a reduction in congestion at the junction, when asked about their priorities for the improvements.
- 70% of respondents want to see improved road safety at the junction.
- 66% of respondents ranked improved journey times as a high priority for improvements at the junction.
- 48% of respondents want to see reduced disruption from roadworks.
- 37% of respondents indicated planting and landscaping was an important benefit.
- 5% of respondents expressed support for Option A, with 61% opposed.
- 10% of respondents expressed support for Option B, with 41% opposed.
- 84% of respondents expressed support for Option C, with 5% opposed.

Source: National Highways (March 2022) "M1 / M62 Lofthouse Interchange: Public consultation summary" available [online](#).

2.2.2. Engagement as part of scheme planning and design

Many of National Highways' major road improvement schemes are classed as Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act 2008. For these schemes National Highways must obtain development consent via a Development Consent Order (DCO). Before National Highways submits a DCO application to the Planning Inspectorate it must consult local communities in the vicinity of the scheme on its *Preferred Option and Preliminary Designs*, and provide the Planning Inspectorate with a report on its response to the feedback received.

As a part of the DCO process, there are specific activities that take place to consult non-users.

Initially, a Statement of Community Consultation (SoCC) must be prepared. The Statement of Community Consultation includes a summary of the scheme, summary of previous consultations around the project, and a plan for upcoming consultations in the vicinity of the scheme. The plan for upcoming consultations includes why and when they will take place, who can take part, and how consultation will take place. It also includes where and when further resources will be made available (including online or posted to consultee at its request). In developing the SoCC, the project team will have sought the views of the local authorities on the appropriate methods of consultation for that scheme.

In accordance with the requirements of the Planning Act 2008, when preparing a DCO application National Highways must consult with the local authorities, prescribed bodies (those identified in secondary legislation), landowners, those with an interest in the land, and with the local community within the vicinity of the project. National Highways also consults with a range of non-statutory bodies including representative bodies for walking, cycling and horse-riding on DCO applications.

During the consultation exercise, National Highways told us that it will typically:

- Provide brochures to all addresses within a consultation boundary (usually 200m to 1km) irrespective of whether they are road users or not.
- Write out to residents within 100m band (or wider) inviting them to respond to the consultation and/or attend a consultation event.
- Arrange public and/or virtual consultation events (subject to COVID restrictions) which are open to all to attend, again irrespective of whether they are road users or not.
- Publicise the consultation in national and local newspapers, in accordance with the Planning Act 2008 s48.

National Highways told us that it is conscious of the need to make engagement accessible, so upon request its consultation documents are made available in other languages, in large text, or in braille. It also told us that it often makes staff available for one-to-one support for consultees via a dedicated project email inbox, via telephone, and via face-to-face meetings as required. In particular, the Company stressed to us that senior staff within the Major Projects directorate try to take personal responsibility for engaging with local communities and to hear local concerns, and that this was often appreciated by local stakeholders.

Under Section 49 of the Planning Act 2008, National Highways has a legal obligation to have regard to all comments received to statutory consultation before it makes a decision on whether to proceed (to submitting the DCO application). National Highways must therefore set out how they have responded to comments in the Consultation Report, which is submitted with the DCO application.

Box 4: M4 Junctions 3 to 12 Smart Motorway – responding to concerns raised during DCO process

National Highways told us that it closely considered several complaints from residents in the Slough area to understand if their needs were fully taken into account during the DCO process. While the Company rejected several cases, National Highways has installed higher or new screen fencing in several locations where it considered there to be a clear justification.

Source: National Highways

Assuming a DCO is then obtained, National Highways will continue to develop the project designs with the help of its lead contractor(s) and technical designer(s) (together the “project team”). Before the relevant scheme can be approved for construction however, the project team must develop a communications strategy for engaging with customers during the scheme delivery phase. National Highways provides guidance for project teams to help with this, including the Roadworks Implementation Toolkit which states that the project team should:

Principle 14: “Keep residents and other communities engaged with the project through regular communications and outreach. Widen the catchment area, going beyond those immediately affected by the work. Reach out to communities living along diversion routes, at local commuter hubs and customers who use the route on long distance journeys.”

At the pre-construction stage, the Toolkit states that the project team should also:

- Map out which communities, businesses and groups will be affected by the works, and identify how best to reach out to and engage with each group.
- Gather insight to understand how these groups might respond to the works. This might include reviewing existing complaints about the road surface, noise or congestion; and considering how these groups have responded to previous roadworks in the area.
- Engage early with ‘customers’, where gathering insight on what local communities need and want during the pre-construction stages of a scheme allowing project teams to develop plans which mitigate known concerns. It can also help reduce the number of complaints received once schemes are in construction.
- Establish a plan for local outreach, e.g. holding public exhibitions, setting up community forums (see Box 5 below), engaging with people at schools, events and other community hubs.

Box 5: A303 Community Forum

The A303 Stonehenge Community Forum brought together the A3030 project team (including both National Highways representatives and lead contractor) with communities and local groups to share information, discuss local concerns and identify opportunities for the project to contribute to wider ‘legacy’ ambitions (including ideas for improving off-road access links over the World Heritage Site for pedestrians, horse riders and cyclists. Members of the forum met every few months and were briefed on the latest scheme progress. They also had the opportunity to ask questions to members of the project team. The forum had an independent chairperson, to ensure that engagement worked in both directions.

Source: National Highways (September 2019) “Spotlight on community forum” available [online](#).

Findings on engagement during scheme planning and design:

Based on the high-level evidence provided by National Highways, we have no specific reservations about the Company's overall approach to engagement with non-users in preparation for submitting DCO applications, which in some cases goes beyond statutory requirements. We have not reviewed the effectiveness of the Company's engagement on specific schemes, noting that some schemes in the portfolio may have particularly sensitive impacts on local communities, but in the round National Highways' approach appears to work well.

We note that this is clearly a key phase of engagement which needs to be carefully managed, because ineffective engagement would increase the likelihood of stakeholder objections and puts timely development consent at risk. National Highways told us that it dedicates senior resource to engaging with local communities, and that senior members of the project team are expected to take 'ownership' of this engagement, including meeting one-to-one with concerned local stakeholders where appropriate, as it told us it has done to understand local community impact mitigation requests on the A27 Arundel Bypass scheme.

To maximise the effectiveness of this engagement, **ORR should encourage National Highways to expand on its use of 'We Asked, You Said, We Did' initiatives, to explain to non-users how it has acted on consultation and engagement feedback, particularly on what it will or will not do to mitigate scheme impacts and why.** This is currently done on a scheme-by-scheme basis but could be expanded to be undertaken consistently across all schemes and for all consultations.

2.2.3. Engagement during scheme delivery

As noted above, National Highways requires that every major enhancement project must have a plan for communicating with local communities during the *Construction* period. The "Roadworks Implementation Toolkit" (see Section 2.2.2. above) sets out that the project team should:

- Define the approach to local communications and outreach in the project communications plan, including a strategy for sending out regular updates on activities undertaken, works completed and progress made.
- Align the project communications plan with the DCO stakeholder map. Project teams should continue to engage with these stakeholder groups to understand and mitigate their needs.
- Establish early relationships with local authorities and collaborate on customer communications and engagement.
- Consider using an online platform, such as Commonplace⁸, to encourage residents to engage informally with projects, and use community insight to inform scheme design and communications.
- Engage early with local communities and stakeholders in diversion route planning, to ensure their needs are incorporated.

Each project team will have a stakeholder engagement lead and public liaison officer who will be responsible for liaising between National Highways, the project and the local community, to understand and help address local concerns and any complaints / negative impacts that the scheme is generating for local communities.

National Highways also facilitates engagement with non-users by setting up a webpage specific for each project; a project specific email address / inbox; and providing a phone number and postal address for the Customer Contact Centre. The National Highways project teams also take an active role in reaching out to the community through social media channels (e.g. Twitter), email news updates, and also text-message alerts to those who have subscribed for them.

At the end of a scheme, National Highways sometimes gathers feedback by issuing questionnaires to targeted members of the local community, as it did on the M27 Junction 4 to 11 Smart Motorway upgrade. Feedback was sought after specific events, such as a 24-hour closure of the full carriageway when the North Fareham footbridge was demolished. The questionnaires were designed to measure the success of the scheme's communication

⁸ <https://www.commonplace.is/>

strategy before and during each activity, allowing the team to understand any pertinent lessons learned and help guide similar communications outputs in the future.

National Highways also encourages project teams to share lessons learnt through ‘Customer Moments’ which are uploaded to the Company’s internal “Knowledge Management” system. It told us that there is a system to distribute new lessons learnt amongst scheme teams on a monthly basis. National Highways provided us with a ‘Customer Moment’ from the A63 Castle Street scheme to demonstrate this, where the project team had used local authority intelligence to understand what languages it needed to translate consultation and campaign materials into; and worked with a local access improvement group to make improvements to the diversion route.

Findings on engagement during scheme delivery:

We know from our previous work for ORR on road user satisfaction that National Highways demonstrates a willingness to “own” direct engagement with the local community on its major schemes and to encourage its major contractors to do likewise. We have seen schemes, for example, where the Company has worked with its supply chain to flex working hours to minimise noise disruption following feedback from local communities.

However, we also note that some of the evidence provided by National Highways illustrates common trends in terms of complaints or ‘pain points’ that local communities experience during scheme delivery, including:

- Noise disruption from night working.
- Heavy traffic on diversion routes causing disruption on local roads, and generating noise and safety concerns.
- Alternative access routes for pedestrians and cyclists.

Whilst noting that some disruption is an inevitable consequence of improvement schemes, **ORR should encourage National Highways to consider what more it can do to address these key issues**, potentially including:

- Whether more prescriptive guidance on diversion routes during the planning phase might be beneficial, or potentially extending the customer service standard for diversion routes to more explicitly consider the impact on deprived communities and non-users with protected characteristics under the Equality Act, and how these impacts might be avoided.⁹
- Postal/email/text alerts to warn local communities about overnight works and manage expectations.
- What might be learnt from the Heathrow Community Engagement Board and HS2 Resident’s Commissioner, in terms of independent scrutiny of relations between the Company, the supply chain and local communities.

2.3. REVIEWING CUSTOMER CONTACT AND IMPROVEMENT ACTIVITY

The RIS2 Customer Service Plan for 2021-22 is focused on making a difference for customers. National Highways recently undertook a Customer Contact Review to assess how Major Projects might develop a better relationship with customers, communities and stakeholders. The purpose of the review was to utilise MP Connect¹⁰ and programme data to better understand the drivers of customer contact with National highways; identify key themes; and consider how these themes could be addressed by continuous improvement activity.

The review comprised three main stages: 1) identification of current processes and best practice in how customer data is used; 2) identification of common themes; and 3) a root cause analysis of a sample of customer data from MP Connect to identify initial gaps.

“Root Analysis” sought to identify trends in the data, such as the divisions in which complaints originate (RIP South, RIP North, CSD or CMP), the nature of the comments made - positive, negative or neutral, and also the projects that the complaints related to. Examples of key themes are included in Figure 2.2.

⁹ DMRB GG 907 “Customer service standard for diversion routes for planned works and activities” available [online](#).

¹⁰ MP Connect is the Customer Relationship Management systems used by National Highways Major Projects directorate.

Figure 2.2: Themes of complaints identified through Major Projects' Customer Contact Review



Source: National Highways' "Customer Contact Review - Major Projects" PowerPoint presentation provided to CEPA

The review considered the quality of National Highways' responses against the 'Responding to customer contact Customer service standard Tips and Best Practice Guide' that provides advice on how to deal with queries.

The final part of the review related to improvement activity. Improvements suggested were either focused on how the quality of National Highways' responses could be improved, or how National Highways can ensure the data is being put into MP Connect correctly and accurately. Some of the suggestions include:

- Building of relationships could be improved by calling a customer as opposed to email as the customer can be more receptive of the tone, and it can help the customer to feel heard.
- Responding to customers could be improved by responding to all feedback including positive feedback.
- Sentiment use in responses could be improved through further training to close gaps in user understanding.
- Standardising the approach to entering information in to MP Connect to create a more consistent approach across National Highways and a more complete audit trail of customer communication.

3. THE OPERATIONS ENGAGEMENT PROCESSES

In this section we consider how National Highways' Operations directorates engage with non-users in communities, and how they share best practice, including: how issues are recorded; how patterns are identified; how mitigations are prioritised and delivered; and whether issues are effectively dealt with and closed to the satisfaction of those who raised or were impacted by the issue.

Key findings:

National Highways' Operations directorates engage with non-users and local communities through similar channels to the Major Projects directorate – although there is clearly a different driver for that engagement, being largely focused on customer complaints and reporting of defects.

Recognising that things can and do go wrong, National Highways also provides multiple channels for local communities to submit complaints about schemes and general maintenance issues. There is some in-person engagement, but digital and social media channels are becoming increasingly important. There is an escalation process where a complaint has not been resolved to the satisfaction to the person by whom it was raised.

National Highways was able to provide evidence that it is tracking and reporting on complaints / engagement numbers internally and ensuring that any key themes are being extracted and considered / acted upon by the relevant customer service groups. Data on the level of improvement that has resulted from those activities was not provided.

Therefore, we suggest that ORR follows up with National Highways to gain an understanding on the improvements that are being generated by its monitoring activity and action plans.

We find that the Company does not rank its regional Operations directorates in terms of best practice, but each year the regions must complete a 'Customer Maturity Assessment'. This is not specific to non-users, but we were told that non-users are considered in how the self-assessment is completed. Finally, we note that best practice is also shared at a national customer service forum.

3.1. GENERAL APPROACH TO ENGAGEMENT

The day-to-day operation of the SRN can have negative impacts on those who live nearby, and from time-to-time there will be problems with National Highways assets that have a knock-on impact on neighbouring properties and the well-being of neighbouring communities. National Highways' Operations directorates are responsible for addressing these issues and, more generally, understanding what their local communities' priorities are. This is led by dedicated communications and engagement teams within each region, and is supported by a national stakeholder team that oversees engagement and collects intelligence data at a more strategic level.

National Highways told us that the approach to engagement within the regions is largely devolved and based on longstanding relationships between the regional engagement teams and local stakeholders – i.e. regional stakeholder teams are expected to “know their patch” and accumulate an understanding of local needs over time.

Like major improvement schemes, maintenance works which require road closures and overnight working must be notified to the public in advance. But in general, we observe that the nature of engagement between non-users and local communities and the regional Operations directorates is less prescribed by statutorily defined processes or regulatory requirements. This potentially gives National Highways more freedom to define its engagement approach and how best to understand local needs and priorities when it comes to the day-to-day operation of the network.

In practice, much of the engagement between the regions and non-users is via:

- National Highways' Customer Contact Centre – particularly for complaints.
- The 'Report a maintenance issue' webpage.
- Social media.
- Direct engagement through existing relationships and community representatives.

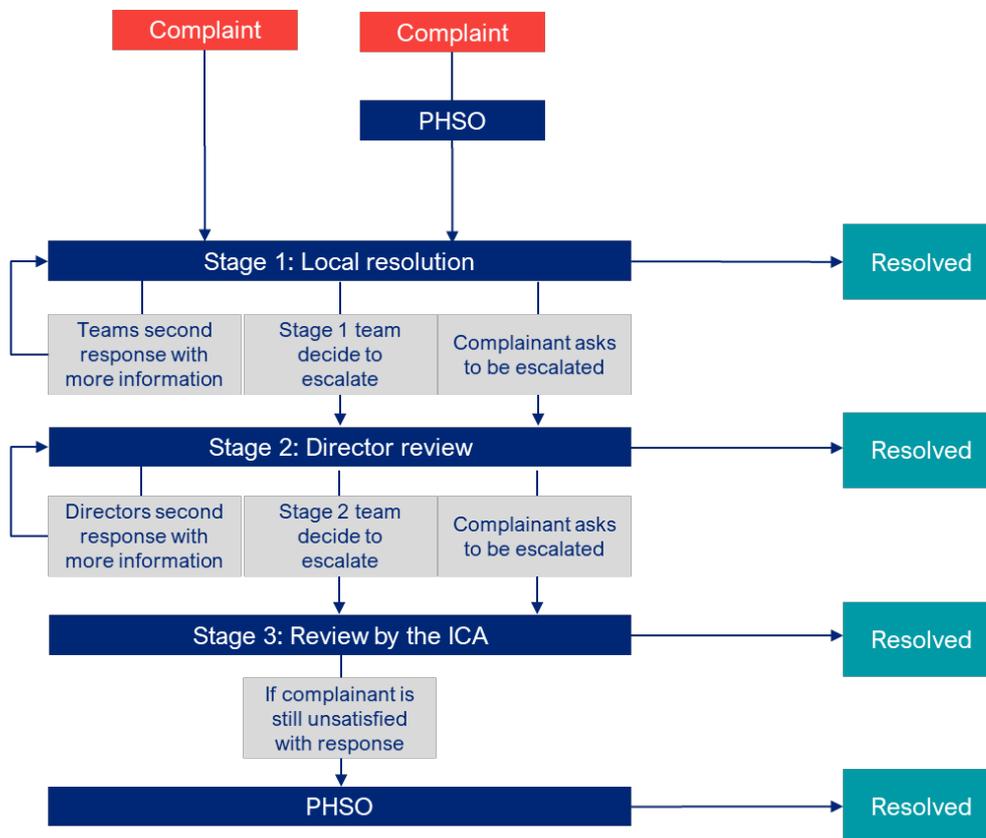
Customer contacts are logged by the regional stakeholder teams and National Highways also has a central customer feedback platform (ECHO) that allow the regional and national teams to identify trends from customer interactions. National Highways told us that the Operations directorates have separate Customer Relationship Management systems to that used by the Major Projects directorate – MP Connect – although the Company is considering integrating the separate CRM databases into a single tool.¹¹

3.2. COMPLAINTS HANDLING PROCESS

For the reporting of maintenance issues, non-users can use the National Highways’ ‘report a maintenance issue’ website, or raise a complaint via email, 24-hour telephone or by letter. In all cases, National Highways’ Customer Contact Centre manages and tracks queries, complaints, and feedback.

We asked National Highways to explain how it handles and escalates non-user complaints. In response, the Company explained that there are four potential stages of escalation for a complaint, as shown in Figure 3.1 below.

Figure 3.1: National Highways Corporate Complaints Procedure steps



Source: Created by CEPA with information provided by National Highways

Once a complaint has been received, the handling stages are as follows:

- **Stage 1 (local resolution).** National Highways will use the information provided in the complaint to identify the relevant team or service provider to deal with the issue. The team or service provider directly involved with the issue will respond within 10 working days.

¹¹ A previous review for ORR conducted on a different but related topic recommended that National Highways develop a central CRM tool for stakeholder engagement. See for example, Elliott Asset Management (June 2020) “Review of Highways England’s engagement approach with local and regional partners” available online.

If the complaint is not resolved in stage 1 there are three paths for progression: (a) the local team can respond with further information / actions to try and resolve the issue; (b) the local team can escalate the issue to the director review stage (stage 2); or (c) the complainant can request that the issue is escalated to stage 2.

- **Stage 2 (director review).** The complaint is investigated by the relevant Regional or Divisional Director, including the manner in which it was handled during the previous stage. Stage 2 investigations are conducted independent of stage 1. Specifically, the response must be sent by a different and more senior member of staff than that which handled the stage 1 response. National Highways must respond within 10 working days of escalation to stage 2.

If a complaint is not resolved at this stage, consideration is given to providing further information or using a different channel of communication (such as a phone call or face to face meeting) to help resolve the complaint. If the customer remains dissatisfied, either they or the relevant Director can refer the complaint to the Independent Complaints Assessor (ICA).

- **Stage 3:** The ICA is appointed by ministers to act independently of DfT to review complaints made against the department, its executive agencies and other DfT public bodies. The ICA will consider whether the complainant has been treated unfairly by National Highways; whether it provided a reasonable service; and if it handled the complaint appropriately. The ICA aims to review the case within 3 months.
- If at the end of the complaints process the customer remains dissatisfied, they can ask a Member of Parliament to refer the complaint to the Parliamentary and Health Service Ombudsman (PHSO). There is nothing to prevent someone going directly to the PHSO, but they will usually be referred to National Highways if they have not given National Highways the opportunity to resolve their complaint first.

National Highways told us that at every stage of the process, the customer should be provided with a point of contact and responded to in their preferred method of communication, considering any reasonable adjustments.

We also asked National Highways how it assesses the effectiveness of its procedures in terms of resolving issues raised, and whether it could demonstrate the end-to-end process with a particular complaint. The Company told us that complaints are tracked using the Customer Contact Centre's CRM system, and provided extracts from that system for a vegetation management complaint where a local property was affected by overhanging trees.

In the specific case we reviewed, the extract from National Highways' CRM system is not clear whether the issue was resolved to the satisfaction of the complainant. This is primarily because the complainant did not respond to the latest attempt by the Customer Contact Centre to discuss the issue. However, it potentially points to a wider theme – which is that National Highways must sometimes coordinate between its maintenance providers and in-house specialists to get problems fixed, and the division of responsibilities can sometimes be blurred.¹²

National Highways' national operations teams provided evidence that it tracks and reports on complaints / engagement numbers internally and that local teams can access the data and produce their own action plans. We did not see evidence of the impact that this is having and so **we suggest that ORR follows up with National Highways to gain an understanding of the improvement that tracking and monitoring is delivering.**

3.3. REVIEWING OF REGIONAL OPERATIONS TEAMS

National Highways advises that there are two ways in which the national operations teams review the regional operations teams in terms of engagement with non-users.

¹² Question 1a case study.docx

3.3.1. Recording of complaints data

The Customer Contact Excellence team (CCE), as part of the national operations team, quality assures regional operations' handling of "Stage 1" complaints on a monthly basis. The data generated is compiled by the national operations teams and shared via a monthly dashboard. The following are examples of the type of data collected and shared:

- The type of response used to close out the complaint e.g., written record, calls, or no record;
- The number of Stage 1 complaints closed out by region; and
- The number of National Highways written responses compliant with the Stage 1 wording standard.

The dashboard is intended to demonstrate the level of adherence to the corporate correspondence standard by each regional team and to identify month on month improvements.

Further to Stage 1 complaint assessment, the CCE also analyse complaints to identify common trends which results in a Stage 1 complaints escalating to Stage 2 or 3. In addition, recommendations received from the Independent Complaints Assessor (ICA) for escalated complaints across regional teams are reviewed by the CCE.

Regional Operations teams can also access their own data to perform regional trend analysis which can be used as the basis of an action plan for improvement. National Highways provided a case study from the East Region described in Box 6.

Box 6: Operations - East Region case study of complaint monitoring and reporting

The Complaint Monitoring and Reporting process consists of three main stages:

- **The Regional Customer Working Group capture the data** – complaints received are categorised by subjects such as planned closures, signs, safety, speed enforcement, etc.; and by area.
- **The key themes and trends are identified** – number of live complaints, number of closed complaints, time taken to close complaint, team responsible for the complaint, the road concerned, correspondence type and correspondence by subject. In this instance, the condition of the road received more complaints than other subjects.
- **An action plan is developed identifying activities required for improvement** – for example the East Region Action Plan included plans to improve the maintenance of the network, such as decreasing levels of graffiti across the network and using complaints around lighting to improve the lighting on the network, and to develop the litter strategy for 2022 at known hotspots.

Action plan progress and success is then assessed by the magnitude of the reduction in the number of customer contact complaints received in relation to the action topic. National Highways has not provided data on the success of the improvements.

3.3.2. Sharing of regional best practice

National Highways told us that it does not rank its regional Operations directorates in terms of best practice, but each year the regions must complete a 'Customer Maturity Assessment'. This is not specific to non-users, but we were told that non-users are considered in how the assessment is completed, and regions must provide case studies to support the assessment.

National Highways also told us that best practice community engagement experience is shared via an internal national customer service forum. Additionally, it told us that information is routinely shared between Major Projects and the Operations teams (and vice-versa), and that this helps to build a lasting relationship between National Highways and local stakeholders that continues even after scheme completion. The Company encourages regions to codify this intelligence so that it is not lost due to organisational churn, for example in the form of case studies.

To illustrate this, National Highways provided us with a case study to demonstrate lessons learnt from its 'Customer Targeted Maintenance' initiative.

Box 7: Customer Targeted Maintenance on the A50 at Meir, Stoke on Trent

National Highways told us that a Regional Engagement Lead from its Operations Customer Service Division has been working with a community group in Meir, Stoke on Trent to understand where the community's priorities are when it comes to maintenance on the A50 (e.g. improving safety of steps leading to the road and replacing fencing panels); and to understand how the Company currently interact with its neighbours and identify what the basic level of customer service should be.

It notes that social media is becoming an increasingly important channel when connecting with local non-user communities. As such, the Company's ability to maximise the potential that social media brings will be important going forward, as will continued development of its online 'Defect Reporting Tool' to allow communities to report problems on the network more easily.

One of the key lessons from the exercise was that local communities are willing to accept that the Company might have to say 'no' to their suggestions. What is important is that National Highways can demonstrate that it listened to their request and clearly explained why it cannot deliver what is being asked.

Source: National Highways

As a result of the sharing of best practice and learning from customer engagement, National Highways told us that community engagement is now a key workstream within its internal People Capability Programme, and that it is developing a project to improve the engagement capabilities of colleagues across the business known as "Living alongside our network".

4. MAKING ENGAGEMENT ACCESSIBLE AND INCLUSIVE

In this section we address the following questions posed by ORR:

- How does National Highways ensure that non-users with protected characteristics can engage with the Company; and how does National Highways engage with non-user groups who are ‘harder to reach’ more broadly, either because they are typically fewer in number, or because they have characteristics that are not well captured by general survey and consultation methods.
- How has National Highways adapted its engagement with non-user groups given the impact of the COVID-19 pandemic.

Key findings:

National Highways has a range of consultation processes and standard impact assessments (including Equalities Impact Assessment (EqIA)) which ensure that it engages with non-users with protected characteristics under the Equalities Act. For example:

- If a consultee requires access to consultation documents in different format, e.g. a braille or large print version, National Highways will issue these as requested.
- Health and Equalities Impact Assessments will be conducted where required, on issues relating to the physical and mental health of groups who might be affected by the project’s construction and operation.
- On the Lower Thames Crossing, National Highways organised focus groups with members of the community with protected characteristics to encourage and aid them in responding to the consultation, and
- We have seen examples of National Highways issuing consultation materials in different languages to reflect local demographics.

National Highways also engages with other ‘harder to reach’ local stakeholders, for example through Local Access Forums, national and project specific working groups, and by reaching out to specific groups during the consultation process.

We also find that National Highways has adapted to digital methods of consultation and engagement during the pandemic, and its overall approach is similar to other organisations, e.g. TfL. National Highways considers that this online approach has proven reasonably successful considering the circumstances, but ORR might consider asking the company to provide a comparison of total engagement numbers / rates pre- and post- Covid-19.

Online and virtual engagement may help engagement with certain groups – particularly with time-poor demographics and groups with lower strength of feeling towards the Company’s schemes. A range of engagement channels are available for non-users depending on their preference, including telephone appointments and one-to-one meetings by request.

We understand that National Highways is now conducting in-person consultation events again whilst retaining online methods. This is positive, particularly for stakeholders with stronger feelings towards the scheme who may need to be more carefully managed, and for stakeholders who are less digitally engaged.

4.1. IDENTIFICATION OF PROTECTED, UNDER-REPRESENTED AND HARDER TO REACH GROUPS

The Equality Act 2010 requires all public bodies to think about treating people from different groups fairly and equally, and that extends to the way that public bodies provide their services and the impact of those services on affected groups. Specifically, National Highways must involve people who are representative of groups with different protected characteristics under the Equality Act, and have an interest in how the Company carries out its functions, as part of its decision-making process.

National Highways’ regional and community engagement leads, and public liaison officers are responsible for leading on interactions with local communities and neighbours, and understanding the impact of the Company’s activities on different non-user groups. National Highways told us that this includes identifying groups with protected characteristics, or who are under-represented in the wider community and therefore seldom heard, to ensure that the Company consults as widely as possible.

National Highways recognises that under-represented groups and people with protected characteristics are less likely to participate in or respond to traditional consultation techniques. They may find it harder to get involved in consultation and need additional support to access materials, or may feel that their views are less likely to be reflected in the feedback that the Company receives from the wider community. This means that National Highways must make an active effort to ensure that its consultations are accessible to these audiences. Examples of its approach include:

- Regional and community engagement leads and public liaison officers must liaise with local authorities to build an understanding of their patch and its needs.
- The Major Projects directorate uses socio-demographic tools and focus groups to identify local demographic trends, including the location of traveller communities, and areas with an older demographic.
- All directorates within the company use the Equalities Impact Assessment (EqIA) tool to ensure that major decisions and actions do not discriminate against or disadvantage groups with protected characteristics. The EqIA a predictive assessment tool which contributes to enabling National Highway's compliance with current national legislation set out under the Equality Act 2010 and associated Public Sector Equality Duty (PSED). More information on the EqIA is included in Appendix C.
- Major Projects teams maintain a scheme-based Stakeholder Tracker based on stakeholder mapping exercises conducted during the planning phase, which should contain details of non-user groups that require a different approach to engagement.

As an illustration, National Highways told us that the LTC project team has put significant effort into identifying and working with local people, particularly hard to reach groups (see Box 8 below).

Box 8: Engagement on the Lower Thames Crossing

An initial consultation on the Lower Thames Crossing (LTC) was undertaken in 2018, but National Highways subsequently identified that vulnerable communities were not adequately represented through that process. To address this gap, groups, including the elderly and disabled, were identified through independent researchers making direct contact with local community organisations and inviting their members to participate in target focus groups.

The LTC project team has subsequently used several different engagement methods to raise local awareness of the project, including: area-wide leafleting; brochure deposit locations and information points with printed information; direct meetings with community representatives and harder-to-reach groups; targeted information for schools; accessible-format documentation online; and specific targeting of areas identified as having higher levels of deprivation.

Focus groups were organised with members of the community with characteristics protected by the Equality Act 2010 to encourage and aid them in responding to the Community Impacts Consultation. These sessions were for deaf people, using British Sign Language interpreters, and for members of the travelling community. All consultation event venues were assessed for accessibility so that disabled people would not be excluded.

To complement periods of formal consultation and technical engagement with statutory and non-statutory stakeholders, the LTC project team continues to hold informal drop-in information events for local communities.

In addition to this engagement, a Health and Equalities Impact Assessment (HEIA) has also been carried out. This has focused on issues relating to the physical and mental health of local people, who might be affected by the project's construction and operation.

The HEIA has identified vulnerable populations such as the elderly, young children and people with pre-existing health conditions such as respiratory diseases, and considered community and health statistics including life expectancy, quality of life and mental health and wellbeing. The HEIA also makes an assessment of impacts of the project on factors such as road safety, active travel, and access to open space and nature, also accounting for the impacts during construction and operation phases.

Source: National Highways

4.2. MAKING ENGAGEMENT MORE ACCESSIBLE

For consultation to be effective, the information provided in support of the consultation must be available, accessible, and easily interpretable for consultees to provide an informed response. Combined with the Public Sector Equality Duty, this means that in some cases National Highways should make certain adjustments and tailor that information to the needs and preferences of particular groups and people with disabilities that may not respond to traditional consultation methods.

To make its consultations more accessible, National Highways told us that:

- It routinely considers the range of languages spoken in the local area. Stakeholder managers and public liaison officers should be familiar with the demographics of the local area, and use this information to inform the communication strategy. Information gathered from stakeholder mapping such as Census statistics can also help. Representative organisations or religious groups are often contacted in order to understand the make up of the area, and an engagement plan can be adapted based on these initial interactions.
- The Company's communications managers are familiar with requirement for full accessibility of consultation materials for all readers and follow corporate styles for colours and fonts for published literature. Stakeholders can contact National Highways requesting a different format e.g. for a braille or large print version as required. When offering material digitally, National Highways will offer another format if the digital format is not fully accessible.
- It will establish targeted focus groups to engage with particular groups, such as older people and people with disabilities, who are less likely to respond to traditional consultation methods.

Box 9 below illustrates how National Highways adapted its engagement plan to accommodate different preferences of local communities affected by the A66 Northern Trans-Pennine scheme.

Box 9: Engaging with seldom heard groups on the A66 Northern Trans-Pennine scheme

By working with the local authorities, National Highways was able to identify a range of seldom heard groups and individuals and representative local groups, including the local traveller communities; representatives of older communities; younger population groups; and people with disabilities.

To encourage these groups to get involved in the consultation, National Highways prepared materials that were accessible and clear, and designed consultation methods to facilitate effective communication with these groups and to provide an opportunity for them to have their say. Some of the Company's proposed methods include but are not limited to:

- Utilising a range of awareness-raising methods such as newspapers, social media, posters and flyers.
- Publicising the consultation at community facilities and hubs that seldom heard groups (e.g. tourism stakeholders and travelling communities) may frequent, including sharing posters and flyers with several tourist centres e.g. Appleby Tourist Information Centre, Penrith Tourist Information Centre and Center Parcs.
- Contacting key community group representatives for them to share information about the consultation with their wider network.
- Ensuring phone numbers and email addresses are available on materials for those who have questions or find it difficult to submit comments.
- Making accessible versions of consultation materials available on request.

In considering the impact of the proposed A66 works on the local community, National Highways identified an impact on the annual Appleby Fair. In working to redesign the affected junction, National Highways worked with the Traveller communities as well as local people and local authorities, to keep them updated.¹³

Source: National Highways

¹³ National Highways (2021) "A66 Northern Trans-Pennine project – Statutory Consultation" available [online](#).

National Highways told us that it is making a more focused effort to improve its engagement with people with disabilities. For example, in 2018 it established the Roads for All Forum (RFA) to gather experiences of different disabled people to better understand how improvements to the SRN infrastructure and services could be made to meet their needs. The RFA Forum provides a platform for those working directly with disabled road-users, as service providers or representative organisations, drawing on their experience and expertise to inform National Highways' planning and decisions and providing a better experience for disabled people using the SRN.

Whilst the RFA forum is mostly focused on disabled *road users* as opposed to *non-users*, it supports the Company's general efforts to better engage and consult with this group by:

- Enabling disabled people, their organisations, and other stakeholders to share ideas, raise issues and concerns, and make suggestions for improvements.
- Providing challenge on particular issues and concerns by working with National Highways to identify solutions.
- Discussing relevant developments, insight, research, trends, and innovations and how these could inform future network and service design.
- Using collective communication channels to promote good practice and shared initiatives.

The RFA Forum has broadened its membership each year, expanding to be reflective of a broad range of impairments and experiences that disabled people face, such as those with cognitive or sensory impairments. National Highways told us that this has led to several customer service innovations, making the Company more accessible and inclusive.

National Highways has also developed an Accessibility Strategy, which sought views from several key stakeholders, including key user groups such as Disabled Motoring UK; government bodies, such as the Office for Disability Issues; the Government Equalities Office who provide oversight on accessibility and inclusion issues; and the Department for Communities and Local Government which sets wider policies that impact on communities and social integration; and the Department for Transport's Disabled Persons Transport Advisory Committee (DPTAC) to share accessibility best practice, and advise on research and development, accessibility standards and policy integration. To measure progress against this strategy, National Highways have established an Accessibility Working Group, responsible for producing and publishing a non-technical Annual Accessibility Report.

4.3. EQUALITY DIVERSITY AND INCLUSION (EDI)

National Highways has minimum requirements and targets for Equality, Diversity and Inclusion. As part of the EqIA Full Assessment process, the EDI Tool (EDIT) must be used, to help target resources at projects that are most likely to deliver EDI benefits to road users and non-users living in communities adjacent to the SRN.

EDIT helps project managers, designers and lead engineers to make evidence-based and informed decisions about their scheme, supporting the appropriate consideration of EDI issues in project design and development. It uses scheme information, social and demographic data, and current research to identify which schemes are likely to have the greatest equality impact and therefore which schemes to target with additional energy and resources.

The tool includes two stages:

- A demographic equality 'hotspot' mapping tool, which allows users to identify where equality challenges are most likely to arise; and
- An MS Excel-based data capture and decision matrix.

National Highways also has an EDI volunteer group that works across the organisation, to develop Company policy on EDI issues and manage the risk of discrimination by the company. A team of volunteers will be the first point of contact for EDI issues in each region for: EDI advice and support; championing and coordinating efforts to promote awareness; and driving improvements in customer service and scheme delivery. The EDI volunteer group is

championed by EDI Executive Sub-group, which reviews the Company's performance and sets the direction for improving how National Highways as a company can deliver against its public sector equality duty.

4.4. ADAPTING ENGAGEMENT TO COVID-19

The core of community engagement for construction and development projects has traditionally been the public exhibition. Typically, this would involve members of National Highways' scheme engagement staff being physically present at a local venue to explain the benefits of the scheme, its assessment of the options, and to listen to local community concerns. But the traditional methods were not always available during the Covid-19 pandemic due to social distancing regulations, meaning that the Company had to consider alternative approaches.

National Highways told us that running digital consultations was not a new approach for the Company, and that it was a key part of its customer service offer even prior to Covid-19. However, during Covid-19 most engagement was placed online or conducted over the telephone, with leaflet drops, public consultations and public displays continuing when permitted. National Highways also told us that its Major Projects directorate developed an internal presentation on the Digital Consultation Approach for Major Projects. Although we have not seen this presentation, National Highways informed us that it included a review of how the pandemic engagement plan had impacted the level of and quality of engagement, and made set out a series of recommendations going forward. **ORR may wish to follow up on this, seeking a copy of the findings and recommendations for its own review.**

The Company's methods of remote engagement typically include:

- Virtual Consultation Events: a virtual room set up with display banners, maps etc. as they would have been in a conventional community venue. All materials are interactive.
- Live calls hosted by a project team, where the Company outlines its proposals and there are opportunities for live questions from community participants and interaction with project specialists e.g. on noise concerns.
- Podcasts and videos featuring the project team and viewable on the National Highways scheme website.
- One to one 'by appointment' briefings with hard to reach individuals or groups, involving project teams and specialists if there's a known area of interest.
- Use of memory sticks to replace deposit points for community groups and individuals needing access to large documents/maps for viewing or printing.
- Wider range of detailed Q&A documents on website.
- Increased number of video fly throughs/local view points and other visual materials.
- Increased use of virtual reality to provide interesting/accessible material online (e.g. as used in consultation on the A57 Links Road scheme).
- Increased use of leaflets/newsletters etc. mailed to stakeholders.
- Extension of consultation periods to allow individuals/groups longer to prepare their formal responses.
- Increased use of social media tweets and advertising.
- Use of the Regional Investment Programme (RIP) Engagement Van as a mobile advertising billboard.

A more detailed example of how National Highways has adapted its engagement on the A46 Newark bypass scheme is described in Box 10 below.

Box 10: Adapting to Covid-19 for engagement on the A46 Newark Bypass

The A46 Newark Bypass project team held a Stage 2, non-statutory options consultation between December 2020 and February 2021 on the two options developed to improve the single bypass on the A46 between Farndon and Winthorpe. Due to the COVID-19 pandemic, the consultation had to be carried out effectively while in full lockdown.

The consultation approach included a “call back” service and virtual meetings with stakeholders and community groups, instead of face-to-face meetings. Social media (Facebook and Twitter) were also used to reach out.

Ahead of the consultation launching National Highways contacted every landowner that would be affected by the scheme, inviting them to a one-to-one session with the project team. During the consultation period, 12 virtual landowner meetings were held. National Highways also held 8 virtual meetings with community groups and other local organisations, to discuss the scheme and how it could impact them, and two virtual meetings ahead of the consultation launch with local authorities and councillors.

National Highways’ engagement van was used in key areas which were still seeing footfall during lockdown, including supermarkets, the council office car park and a local village pub which was acting as a shop during the pandemic.

The team also allowed an additional two weeks for the consultation period to give stakeholders affected by the pandemic longer to respond.

The most commonly used communication channels for finding out more about the proposed scheme were the scheme webpage (62%), through the local press (28%) and by social media (27%).

National Highways received 1,586 responses to the consultation. 62% of the responses were received via Citizen Space, 35% via post and 3% via email. In total, 53 calls were received via the Customer Contact Centre and 195 emails were received via the scheme inbox.

Source: National Highways

The biggest challenge with digitally hosted consultations is that the consultation is not as inclusive as the traditional methods, and it may be harder to reach groups who do not have internet access or are less likely to follow the project on social media. However, National Highways told us that it has taken steps to address these concerns by advertising the consultation in local newspapers; mailing out consultation material; and posting notices outside community facilities and at public open spaces.

Overall, we find that National Highways’ methods of adapting its engagement to Covid-19 are broadly similar to those employed by other infrastructure managers such as TfL, as briefly covered in section 5 below. We understand that this online approach has proven reasonably successful in the circumstances. **In the context of the success of online consultations, we recommended that ORR consider asking National Highways to provide a comparison of total engagement numbers / rates pre- and post- Covid-19.**

It also seems possible that online and virtual engagement may be preferable for engagement with certain groups – particularly with time-poor demographics and groups with lower strength of feeling towards the Company’s schemes, and there will be opportunities for National Highways to continue to evolve its digital engagement methods to better keep these groups informed and engaged.

Finally, we understand that National Highways is now conducting in-person consultation events again. This is positive, particularly for stakeholders with stronger feelings towards the scheme who may need to be more carefully managed, and for stakeholders who are less digitally engaged.

5. CASE STUDIES OF OTHER INFRASTRUCTURE MANAGERS

ORR asked us to help it understand how National Highways compares to other public sector transport infrastructure managers in engaging with non-users in local communities.

In this section we provide case studies describing the approach to local community engagement taken by Heathrow Airport Ltd, HS2 Ltd and Transport for London (TfL). We make high-level observations about how these approaches differ from the approach taken by National Highways, and note the key lessons that ORR and National Highways might consider further.

5.1. HEATHROW AIRPORT'S COMMUNITY ENGAGEMENT BOARD

Summary:

Heathrow Airport Limited (HAL) established the Heathrow Community Engagement Board (HCEB) as a vehicle that would be independently chaired and act independently of the airport. It holds HAL publicly to account to the stakeholders and communities who are impacted by the airport's operations, and ensures that HAL facilitates engagement in decision-making at Heathrow Airport.

The purpose of the HCEB is to encourage decision-making and communication by HAL which can be trusted by the stakeholders and communities; and to ensure that there is a clear and accessible process for any issues raised by stakeholders and communities to be addressed quickly and fairly by HAL in a transparent and accountable way. It also provides an independent monitoring and scrutiny function of current airport operations and plans for the future.

We suggest that this represents a more formalised and codified approach to accountability than currently adopted by National Highways. National Highways might consider whether there are potential lessons in such an approach as its portfolio of enhancement schemes evolves and risk profile increases, or in preparation for larger 'complex' infrastructure projects such as the A303 (Amesbury to Berwick Down) and Lower Thames Crossing.

Heathrow Airport is the largest and busiest airport in the UK. In 2019 (pre-covid) the airport served 80.1 million passengers, and transported 1.6 million metric tonnes of cargo.¹⁴ The airport's activities impact customers, stakeholders and non-users such as those living or working in local communities.

Heathrow Airport Limited (HAL) engages with local residents through a borough newspaper, regular resident meetings and through three mechanisms set up to provide local people with the opportunity to engage with airport operations and expansion plans. These are:

- **The Local Focus Forum:** a quarterly meeting hosted by HAL made up of resident associations and local councillors from the villages bordering Heathrow. At the meetings, information about forthcoming developments and operational impacts are discussed that might affect the local area.
- **Heathrow Community Noise Forum:** a group made up of local councillors and residents from 12 boroughs around Heathrow affected by noise from the airport. It gathers member's inputs into the planning and communication processes of the modernisation of the airport and Heathrow airspace for issues such as flight paths.
- **Heathrow Community Engagement Board (HCEB):** an independent body that has been established to give those who live, work and travel through Heathrow more influence over how the airport operates and how it may grow in the future.

5.1.1. Heathrow Community Engagement Board

HCEB is an independent Board set by Heathrow Airport but with a remit to act independently of the airport. The aim of the HCEB is to publicly hold HAL accountable to the stakeholders and communities who are impacted by the

¹⁴ Heathrow Airport (2020) "Heathrow reports superb end to 2019" available [online](#).

airport's operations and to facilitate engagement in decision-making at Heathrow Airport. HCEV ensures that there is a clear and accessible process for any issues raised by stakeholders and communities to be addressed quickly and fairly by HAL in a transparent and accountable way. The HCEB was also intended to encourage and facilitate the participation of local communities in the planning and delivery process for the proposed expansion of Heathrow Airport and the third runway.

HCEB has several 'sub-groups' which are responsible for different aspects of engagement:

- **Independent forums:** The Forum is a public meeting providing open and transparent monitoring and challenge of Heathrow Airport's day-to-day operations and plans for the future. It is the primary mechanism for the public monitoring and scrutiny of Heathrow Airport.
- **Transport, Environment and Noise Advisory Group meetings:** this Group provides the Chair of the HCEB with advice on Surface Access, Noise, Air Quality and Public Transport. It is currently chaired by the Non-Executive Director of the HCEB.
- **Passenger Service Group:** represents 'users' rather than 'non-users', but is part of the HCEB structure. It considers any issue in connection with Heathrow Airport that would improve the passenger experience, and to report their conclusions and recommendations to HCEB. It meets quarterly to receive opinions from Heathrow Airport stakeholders and external experts and make recommendations to HCEB.
- **Strategic Advisory Group:** exists to provide high level strategic advice to the Chair and the Board of Directors on how the HCEB can fulfil its purpose. It is made up of 'elected members' (including representatives from local borough councils) and other 'community stakeholders' who facilitate engagement with local residents.

HCEB shares information with the local community through social media and a "News and Updates" blog. It facilitates online engagement through an online portal, for gathering thoughts, views and ideas about how to improve community life alongside Heathrow airport. It has also responded to government consultations (see below).

Box 11: Night flight restrictions consultation

HCEB, the Transport, Environment and Noise Advisory Group and Passenger Service Group were asked to respond to the DfT Night Flight Restrictions Consultation in 2021. The joint response was summarised and made publicly available on the HCEB website.¹⁵ The response demonstrated local residents support a complete ban on night flights for eight hours every night, from 11 pm to 7 am. However, the Passenger Service Group, which also feeds into HCEB, highlighted the strategic importance of those few but vital flight arrivals between 0430 and 0600, and did not support the ban of QC4 rated aircraft movements during the night.

Source: Heathrow Community Engagement Board

Since March 2021, the responsibilities of the HCEB have been reduced due to the suspension of HAL's DCO application for the third runway and a significant organisational restructuring at the airport in the wake of Covid-19. This restructuring means that the resources available at the airport for community engagement are more limited. HAL recently announced that it will be streamlining and refocusing its community engagement structures, and we understand that from spring 2022 HCEB will become the Council for the Independent Scrutiny of Heathrow Airport (CISHA). The new CISHA will have a particular focus on 'mediation and scrutiny', alongside ensuring the statutory requirements of the airport to consult and engage locally are met.

¹⁵ Available at <https://www.hecb.org.uk/blog/2021/3/9/hecb-response-to-dft-night-flight-restrictions-consultation>

5.2. HS2 RESIDENTS CHARTER AND INDEPENDENT COMMISSIONERS

Summary:

HS2 Ltd has appointed two independent commissioners to hold it, and its supply chain, to account for the commitments made to local communities affected by the construction works: a Resident’s Commissioner and a Construction Commissioner.

Although it is still relatively early in the construction phase of this long-term project, there are some emerging signs that the Commissioners have had some success in encouraging clearer and more timely communications between HS2 Ltd, its suppliers and local residents.

We suggest that this represents a more formalised and codified approach to accountability than currently adopted by National Highways. National Highways might consider whether there are potential benefits in such an approach as its portfolio of enhancement schemes evolves and risk profile increases, or in preparation for larger ‘complex’ infrastructure projects such as the A303 (Amesbury to Berwick Down) or Lower Thames Crossing.

HS2 Ltd is the government-owned company set up to construct and deliver the new high-speed rail link running between London, Birmingham and Manchester. Construction has started on Phase One (London–West Midlands) and construction on Phase 2 (to Crewe and then Manchester) is currently expected to run until at least 2040.

In 2017, the HS2 Ltd published a Community Engagement Strategy setting out its approach to community engagement in advance of and during the construction period, and setting out what it means for those who either live or work within the communities along the line of the new railway.¹⁶ The strategy includes ten commitments built around 4 key themes relating to “*Respecting people and respecting places*”, as shown in Figure 5.1.

Figure 5.1: HS2 Ltd’s ten commitments under four key themes.

Informing	Responding
We will tell you about HS2 works in your area.	Our dedicated HS2 Helpdesk is available 24 hours a day, every day of the year, to help with any questions or concerns you have about HS2 or our work.
We have local community websites and newsletters with regular information and updates about our work in your area.	If things go wrong, we have a complaints process and a dedicated complaints team.
We have local community teams who know your area. They will hold local events and run projects to keep you informed.	An independent Construction Commissioner monitors how we manage and deal with complaints.
Involving	Consulting
We will involve you in opportunities to benefit and learn as we build HS2 including jobs, skills, education, employment and funding.	We will hold formal consultations with you while we seek permission to build Phase 2b of HS2.
We will ask you about the design of specific parts of the railway.	We now have permission to build Phase One and Phase 2a. This means we will only formally consult on this part of HS2 when we need permission to do things that fall outside the terms of the legislation agreed by Parliament.

Source: CEPA analysis of HS2 Ltd Community Engagement Strategy

To hold HS2 Ltd and its supply chain to account for these commitments, HS2 Ltd has appointed two independent commissioners: the Residents’ Commissioner and the Construction Commissioner.

¹⁶ HS2 Ltd (2017) “Community Engagement Strategy” available [online](#).

The Resident's Commissioner oversees and monitors HS2's commitments to local residents outlined in the Resident's Charter. Local residents can contact the Commissioner to discuss issues and concerns with respect to progress or actions against those commitments, but the Commissioner does not investigate individual cases, act as an arbitrator for individual resident concerns, or deal with complaints. The Commissioner oversees and monitors HS2 Ltd's commitments to residents and produces periodic reports (published online) which describe actions taken by HS2 Ltd to make progress and/or fulfil its commitments, and make recommendations to HS2 Ltd to improve its performance. The Commissioner meets regularly with the HS2 Ltd Chairman about emerging trends and concerns.

The Construction Commissioner role was developed to monitor how HS2 Ltd manages and respond to construction complaints. The commissioner mediates on disputes about construction that HS2 Ltd has been unable to resolve. The commissioner also advises members of the public about how to make a complaint to HS2 Ltd about construction issues. The Construction Commissioner meets regularly with HS2 Ltd's Chief Executive Officer to raise any concerns or emerging trends across the project.

An example of how the commissioners have engaged with the local communities is by engaging with affected farmers, because of the extent of land required for the railway and construction sites across agricultural sites. Where access to their farm holdings is of particular concern, both HS2 Ltd and its construction partners need to be mindful of the impact this will have on the operation of the agricultural business. The Commissioner's quarterly report explains how the Resident's Commissioner and Construction Commissioner met with a number of farmers affected by HS2 on both Phases One and 2a. Those at the meeting shared their views on the HS2 project, including issues related to engagement, access, feedback, construction impacts and governance, which in turn was fed back to HS2 Ltd by the Commissioners.¹⁷

The Resident's Commissioner made recommendations in November 2021 that HS2 Ltd's community engagement strategy should be updated, on the basis that the strategy was developed in 2017 and the project is now in a significantly different place. The report concluded that the community engagement strategy needs to encompass not only those already experiencing the effects of construction on Phase One, but also those communities where construction is still many years away from starting (including on Phase 2a).

Communication between contractors and residents also falls under the Resident's Commissioner's remit. For example, the Resident's Commissioner has raised concerns about timeliness and a lack of clarity in works notices disseminated by one of the joint venture delivery partners delivering construction works near Great Missenden. The Residents Commissioner helped to encourage representatives of the delivery partner to meet local residents and address their queries. The delivery partner has also committed to post additional information online and undertake door-to-door engagement to ensure that those most immediately affected are aware of upcoming works.

¹⁷ HS2 Ltd (November 2021) "HS2 Residents' Commissioner report 16" available [online](#).

5.3. TRANSPORT FOR LONDON

Summary:

There are many similarities between National Highways and TfL's approach to local community engagement, although there are also some obvious differences in terms of the extent of local partnership working.

TfL's senior leadership make a point of meeting with borough transport leads on a regular basis, to ensure it understands local views on transport issues. TfL has been open about trying to improve its engagement with the boroughs; and has published updates on progress, including on how it is improving the way it runs consultations.

Although engagement generally works well, where there is local opposition to the Mayor's transport priorities, TfL is sometimes perceived to act as a mediator between the boroughs and the Mayor's office.

On public consultation more generally, we see that TfL tries to be transparent by default. The public can see what other people have said in response to live consultations; and TfL tries to respond publicly on consultation feedback. TfL keeps engaging with affected communities even after project completion, to understand where it could have managed the project better and how it might improve the planning and delivery of future initiatives.

5.3.1. TfL engagement with London's boroughs

Transport for London is London's integrated transport authority, responsible for delivering the Mayor's strategy and commitments on transport. It runs the day-to-day operation of the public transport network and manages the Transport for London Road Network (otherwise known as the 'red routes'). TfL is controlled by the Mayor, who chairs the TfL Board.

The 33 London boroughs also have responsibilities for implementing the Mayor's Transport Strategy, particularly regarding the ~95% of roads within their boundaries that are not managed by TfL or National Highways. The boroughs champion local concerns and ambitions, and therefore TfL has a dedicated Borough Engagement team that develops relationships with the London Boroughs, both directly and via the local government association for Greater London, London Councils.

TfL has a Local Communities and Partnerships (LCP) team. It helps the boroughs navigate TfL, answering questions about TfL policies, projects and programmes. It also makes sure the boroughs' voice is heard in decision-making. Each borough has a dedicated LCP contact to manage the relationship with TfL. We understand that the TfL-borough engagement process generally works well (for example, see Box 12 below) but on occasion their interests do not align. For example:

- In 2018, Westminster City Council withdrew support for the Mayor's plans to pedestrianise Oxford Street, because local residents feared traffic displacement. The project remains stalled.
- Royal Borough of Kensington & Chelsea has resisted the creation of segregated cycle lanes and has decided not to introduce any Low Traffic Neighbourhoods, because of local resident opposition.

In practice we understand that these are often Mayoral priorities that the boroughs push back against, and that TfL is sometimes perceived as taking on a 'mediatory' role between the boroughs and the Mayor's office.

Box 12: E-scooter consultation

TfL, London Councils and the boroughs have been working together on an e-scooter rental trial for London. TfL worked to promote safe and consistent standards across a defined, geographically limited trial area, and there are weekly discussions via a borough officer workshop, co-hosted with London Councils, to enable partnership working on policy, communications and stakeholder engagement. On TfL's e-scooter consultation webpage, it provides responses to some of the key issues raised by non-users and local communities, including how it is working with boroughs to address concerns. For example:

- Rental e-scooters are being abandoned and blocking pedestrian walkways and/or cluttering pavements. TfL states that where rental e-scooters have been abandoned, the relevant operator will be notified via technology that this has occurred, and they commit to responding to it within 12 hours to ensure it is moved, or 1 hour if it presents a hazard. All operators investigate these incidents and can fine, warn or ban the user identified.
- Operators and boroughs are also monitoring certain parking bays more closely to better understand what is causing these issues and how repeat bad behaviours can be avoided. Methods that have been considered and are already being planned include increasing ranger patrols or moving the bays to an alternative location.
- TfL is also working with the operators to continuously improve their technologies. For example, TfL is reviewing and monitoring the effectiveness of geofencing which is used to ensure a rental e-scooter is left in a dedicated parking bay. Where problems are identified, these are shared with the operators to be improved and rectified.
- The location of parking bays is causing disturbances to residents, including reports of anti-social activity and noise disruption during the night. Where TfL receives feedback regarding noise disturbance, this is shared with the operators. The operators are monitoring these notifications and have changed their operational plans so that rental e-scooters are not serviced at certain locations during anti-social hours.
- TfL has also asked the operators to remind their users, via various means, to show consideration to residents when riding during anti-social hours. Where local residents continue to experience disturbances, they can contact their borough to formally report a complaint about the location of a rental e-scooter parking bay.

Source: *Transport for London*

5.3.2. Public consultation methods

TfL has an online consultation hub: [Have Your Say](#). It provides consultation material on a range of transport issues, including current and past TfL projects, including supplementary information and maps to help people respond to the consultation, and setting out what decisions TfL will make with consultation responses. In some cases, feedback is provided in the form of a 'guestbook' which allows for respondees to leave open comments and to see what issues other respondents have made (anonymously).

To ensure fairness, all of TfL's consultations follow the Gunning Principles:

- Proposals are still at a formative stage - this means that when we consult a final decision on our proposals has not yet been made by our decision-makers.
- There is enough information to allow 'intelligent consideration' - the information we provide will be readily accessible, easily interpretable and relevant to the consultation and will be enough to enable consultees to offer an informed response.
- There is adequate time for consideration and response - we will ensure we allow enough time for consultees to participate in our consultations. The length of consultation required will depend on all the circumstances. Typically, we will aim to consult for a period of six weeks, but this can be slightly less or longer.
- 'Conscientious consideration' must be given to the consultation responses before a decision is made - our decision-makers will review and take on board the output of the consultation before deciding on how to proceed. They may decide to proceed with proposals as consulted upon, with amendments, or they may decide not to proceed at all.

The output of every consultation feeds into TfL's decision-making process. Once a decision is made, it is published on TfL's consultation hub and, at the same time, TfL publishes a consultation report explaining: what was consulted on; how it consulted; the output of the consultation process; and its next steps. The consultation report may also include TfL's response to key issues that were identified during the consultation, and in some cases, TfL may publish a separate Response to Issues Raised report, following the publication of a Consultation Report.

5.3.3. Adapting to Covid-19

We understand that TfL paused consultation work between March 2020 and September 2020 due to the Covid-19 pandemic. But since it resumed, every consultation has made use of TfL's online consultation platform, *Have Your Say*, to allow people to respond to TfL's proposals. TfL also makes copies of its consultation questionnaires available offline for people who would prefer to respond via post.

We understand that TfL has now restarted in-person public consultation sessions.

5.3.4. Engaging with 'harder to reach' groups

As part of its efforts to improve the way it consults the public, TfL is working closer with national groups representing communities with protected characteristics. For example:

- As part of the consultation on proposals to help people to walk and cycle between Clapton and Lea Bridge in 2019, TfL met representatives from the National Federation of the Blind UK and produced a series of 'tactile maps', which described the proposals by touch and feel, to help attendees to understand the proposals and to comment on them.¹⁸
- TfL holds a quarterly Stakeholder Accessibility Forum (SAF) to enable stakeholders from the charity and disability sectors to influence and engage with its project teams and senior management. It is attended by more than 20 different organisations representing older and disabled people.
- It has recently increased the membership of its Independent Disability Advisory Group, which provides recommendations on best practice for inclusion, informed by evidence and supported by lived experience, and feeds back on many of TfL's Equality Impact Assessments.
- Accessible options for public consultations are made available on request, including audio reply option and Easy Read formats.

5.3.5. Complaints handling

TfL provides dedicated channels for common complaints, including on:

- Reporting criminal damage and/or antisocial behaviour.¹⁹
- Reporting crimes and/or incidents.²⁰
- Reporting street problems and highway maintenance issues, including a map tool to locate the issue and functionality to upload photos. TfL provides updates on how the issue has been categorised; when it has been directed to the appropriate team; when the issue has been investigated; how TfL will respond and by when.²¹

¹⁸ TfL (2020) "Progress on our commitments: an update on our six commitments from the Borough Survey 2019" available [online](#).

¹⁹ <https://tfl.gov.uk/help-and-contact/report-criminal-damage-or-antisocial-behaviour>

²⁰ <https://tfl.gov.uk/travel-information/safety/report-a-crime-or-incident>

²¹ <https://streetcare.tfl.gov.uk/>

- Reporting noise and vibration related disturbances.²²
- Contacting TfL about accessibility needs or concerns.²³

We note that TfL reports on the number of calls to its Customer Contact Centre; items of correspondence received from the public; and social media messages received, as part of its Customer Service and Operational Performance Panel reporting.

²² <https://tfl.gov.uk/corporate/about-tfl/corporate-and-social-responsibility/reducing-noise-and-vibration>

²³ <https://tfl.gov.uk/transport-accessibility/contact-us-about-accessibility>

Appendix A ACORN CONSUMER SEGMENTATION CATEGORIES

Figure A.1: Acorn consumer segmentation categories

1 Affluent Achievers		
	Types	
A Lavish Lifestyles	1	Exclusive enclaves
	2	Metropolitan money
	3	Large house luxury
B Executive Wealth	4	Asset rich families
	5	Wealthy countryside commuters
	6	Financially comfortable families
	7	Affluent professionals
	8	Prosperous suburban families
	9	Well-off edge of towners
C Mature Money	10	Better-off villagers
	11	Settled suburbia, older people
	12	Retired and empty nesters
	13	Upmarket downsizers
2 Rising Prosperity		
	Types	
D City Sophisticates	14	Townhouse cosmopolitans
	15	Younger professionals in smaller flats
	16	Metropolitan professionals
	17	Socialising young renters
E Career Climbers	18	Career driven young families
	19	First time buyers in small, modern homes
	20	Mixed metropolitan areas
3 Comfortable Communities		
	Types	
F Countryside Communities	21	Farms and cottages
	22	Larger families in rural areas
	23	Owner occupiers in small towns and villages
G Successful Suburbs	24	Comfortably-off families in modern housing
	25	Larger family homes, multi-ethnic areas
	26	Semi-professional families, owner occupied neighbourhoods
H Steady Neighbourhoods	27	Suburban semis, conventional attitudes
	28	Owner occupied terraces, average income
	29	Established suburbs, older families
I Comfortable Seniors	30	Older people, neat and tidy neighbourhoods
	31	Elderly singles in purpose-built accommodation
J Starting Out	32	Educated families in terraces, young children
	33	Smaller houses and starter homes
4 Financially Stretched		
	Types	
K Student Life	34	Student flats and halls of residence
	35	Term-time terraces
	36	Educated young people in flats and tenements
L Modest Means	37	Low cost flats in suburban areas
	38	Semi-skilled workers in traditional neighbourhoods
	39	Fading owner occupied terraces
	40	High occupancy terraces, many Asian families
M Striving Families	41	Labouring semi-rural estates
	42	Struggling young families in post-war terraces
	43	Families in right-to-buy estates
	44	Post-war estates, limited means
N Poorer Pensioners	45	Pensioners in social housing, semis and terraces
	46	Elderly people in social rented flats
	47	Low income older people in smaller semis
	48	Pensioners and singles in social rented flats
5 Urban Adversity		
	Types	
O Young Hardship	49	Young families in low cost private flats
	50	Struggling younger people in mixed tenure
	51	Young people in small, low cost terraces
P Struggling Estates	52	Poorer families, many children, terraced housing
	53	Low income terraces
	54	Multi-ethnic, purpose-built estates
	55	Deprived and ethnically diverse in flats
	56	Low income large families in social rented semis
Q Difficult Circumstances	57	Social rented flats, families and single parents
	58	Singles and young families, some receiving benefits
	59	Deprived areas and high-rise flats
6 Not Private Households		
	Types	
R Not Private Households	60	Active communal population
	61	Inactive communal population
	62	Business addresses without resident population

Source: CACI Limited (2014) "The Acorn user guide" available [online](#).

Appendix B CUSTOMER IMPACT ASSESSMENT TOOL

Figure B.1: Customer Impact Tool template

Customer impact assessment tool

Use this checklist to help you understand who your customers and communities are and how the roadworks will impact them. The 20 principles in this toolkit have been designed to help you think about ways in which you can reduce the impacts identified. Use the Customer impact mitigation tool on the following page to record any mitigating action you will take.

1. Consider the impact of the roadworks on the different types of road users and rate the level of impact:

	Road user type For example, commuters, leisure drivers, freight	Level of impact		
		High	Medium	Low
1.				
2.				
3.				
4.				
5.				
6.				
7.				

2. Consider the impact of the roadworks on local communities and rate the level of impact:

	Community For example, industrial estates, residents, local authorities, retail parks, schools, stadiums, local events, land owners	Level of impact		
		High	Medium	Low
1.				
2.				
3.				
4.				
5.				
6.				
7.				

3. Consider the impact of diversion routes on road users and communities and rate the level of impact:

	Community For example, industrial estates, residents, local authorities, retail parks, schools, stadiums, local events, land owners	Level of impact		
		High	Medium	Low
1.				
2.				
3.				
4.				
5.				
6.				
7.				

Source: Roadworks a Customer View (version 3 2022)

Appendix C EQUALITIES IMPACT ASSESSMENT

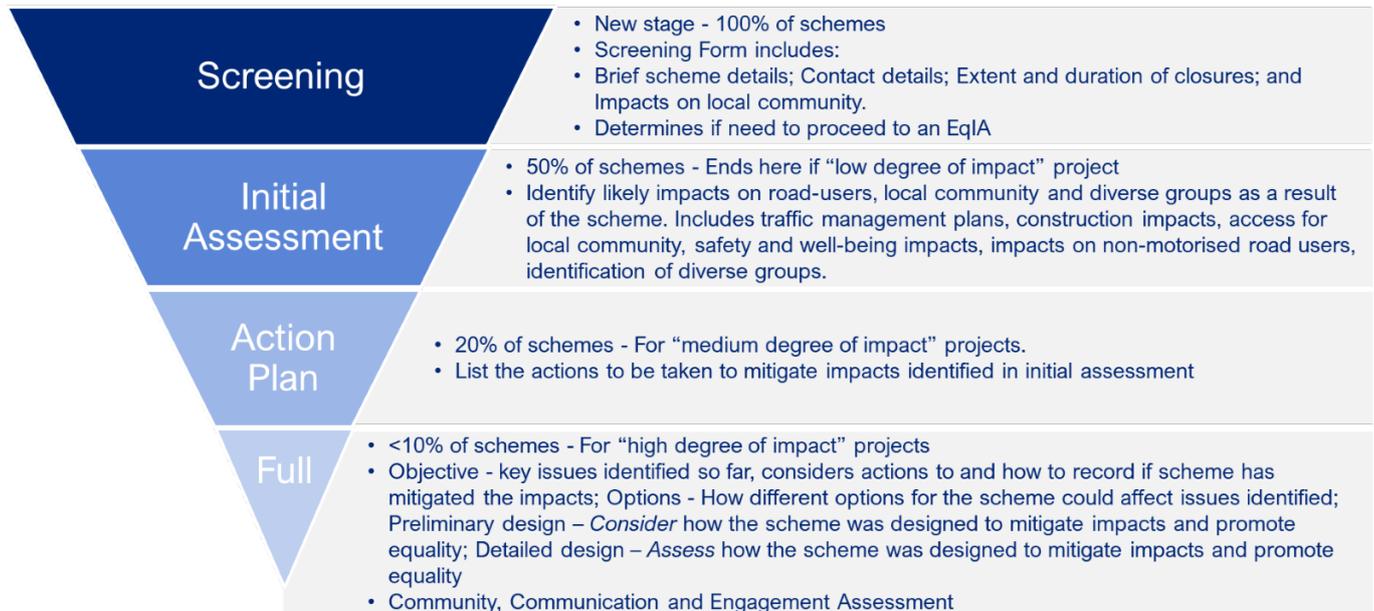
National Highways has developed an Equalities Impact Assessment (EqIA) tool. It is a predictive assessment tool which helps National Highways to achieve compliance with its duties under the Equality Act 2010 and associated Public Sector Equality Duty (PSED). It is designed to ensure that Major Projects and Operations activities do not discriminate against disadvantaged groups and people with protected characteristics.

The key guidance documents include a completion guide “Equality Impact Screening and Assessment (EqIA) Overview and Guidance: Helping You to Consider the Needs of People” and the Equalities Impact Screening and Assessment templates.

In April 2021, Operations revised its EqIA process to ensure it was more robust and proportionate. This revised process was supported by a series of briefing sessions (attended by National Highways and supply chain employees) to ensure they understood the new process and how to complete the relevant forms and templates.

The EqIA is largely undertaken by the Delivery/Development teams, with input from Project Managers and EDI Lead/ Manager. The EqIA process is made up of four parts: Screening, Initial Assessment, Action Plan and Full Impact Assessment, as shown in Figure C.1 below.

Figure C.1: Diagram of the EqIA process



This EqIA considers the potential effects of the proposed scheme on groups with protected characteristics as defined under the Equality Act 2010. These protected characteristics relate to age, sex, race, religion or faith, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, and sexual orientation. In addition to the statutory protected characteristic groups, this EqIA also includes an assessment of vulnerable and non-motorised users (NMUs) of the highway network, including pedestrians, cyclists, motorcyclists and equestrians.

Box 13 below explains how the EqIA tool was applied to the A303 Stonehenge scheme.

Box 13: A303 Amesbury to Berwick Down

The A303 Amesbury to Berwick Down scheme is an important link between the South West, London and the South East; and is part of an upgrade programme for the A303/A358 corridor in the Complex Infrastructure Programme for RIS2.

The project required a full impact assessment, which was submitted as part of the application for development consent for the scheme. A range of evidence sources have been used to identify potential impacts for this EqIA including the Environmental Statement, WebTAG Distributional Impacts Appraisal report and feedback and responses from engagement and consultation with the public and stakeholders, which started in 2015/16.

The EqIA maps the characteristics of the local community. It is noted that Stonehenge is of importance to Pagans and druids. While any Pagans and Druids living within the study area will be recorded under the 'other religion' category, the Stonehenge site is also of importance to Pagans and Druids both in a wider national and international context. The 2011 Census records that 56,620 people in England and Wales identified as Pagan which includes Wicca (11,766) and Druids (4,189). English Heritage states that 'Stonehenge continues to have a role as a sacred place of special religious and cultural significance for many and inspires a strong sense of awe and humility for thousands of visitors who are drawn to the site every year'.

Consultation activities with relevant groups were undertaken in April 2018. Two organisations identified were the "Druid Order" and "Amesbury Druids". A walkthrough of the Stonehenge site was undertaken for both groups, enabling the project teams to gather information on the parts of the landscape of significance, and identify and issues the project may have on the use of the site.

Source: National Highways (October 2018) "A303 – Amesbury to Berwick Down: Equality Impact Assessment" available [online](#).



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