



Consumer Expert Panel

13 March 2024 – Microsoft Teams meeting

Name	Organisation
Anne Heal	Chair, Non-executive Director, ORR
Kate Denham	Consumer Expert Panel Member
Ralitsa Hiteva	Consumer Expert Panel Member
Claudio Pollack	Consumer Expert Panel Member
Marie Pye	Consumer Expert Panel Member
Andrew Williams-Fry	Consumer Expert Panel Member
Helen Parker	Consumer Expert Panel Member
James Walker	Consumer Expert Panel Member
Mike Hewitson	Transport Focus
Stephanie Tobyn	ORR
David Kimball	ORR
Claire Clark	ORR

Apologies

Name	Organisation
Sarah Chambers	Consumer Expert Panel Member

Item	Speaker	Time
Welcome	Anne Heal	14.30
Update on work of Consumer Team	Stephanie Tobyn	14.35
Consultation on amending the Accessible Travel Policy Guidance	David Kimball	14.45
Understanding disabled peoples' experience of train companies' complaints process	Claire Clark	15.25
Stranded trains	David Kimball	16.00
Closing remarks and AOB	Anne Heal	16.40

Notes

Welcome

1. **Anne Heal** welcomed the Panel. Apologies were received from Sarah Chambers.

Update on the work of the consumer team

- 1.1 **Stephanie Tobyn** provided an overview of two recent publications:
 - The [findings of cross-industry relevance arising from ORR-Commissioned audits of five train operators](#); and
 - A [report](#) on the reliability of lifts at stations.
- 1.2 The audit of five operators focused on regulatory requirements related to the delivery of passenger assistance. The audits assessed the use of the shared industry Passenger Assist system for logging and managing assistance bookings, the use of the handover protocol that sets out communication procedures between staff at departure and destination stations, and processes for management oversight and continuous improvement.
- 1.3 The key findings were:

- All operators should adopt the Passenger Assist staff app to improve the reliability of communication between staff providing assistance;
- Operators need to implement risk management tools where they rely on onboard staff to deliver assistance; and
- Operators and the Rail Delivery group are responsible for ensuring all shared industry systems such as Passenger Assist are meeting the needs of passengers.

- 1.4 The report on reliability of lifts at stations provided an assessment of lift performance outputs since April 2022, and their impact on passengers. ORR will continue to monitor this performance.
- 1.5 The Panel agreed that the industry needed to do more to improve reliability of the Passenger Assist service, and were disappointed to learn that issues remained with some train operators not implementing the handover protocol in full.
- 1.6 The Panel also highlighted other areas of frustration, including the high volume of short notice train cancellations, particularly at weekends, and their perception that rail services are not operated in the best interests of passengers.
- 1.7 Stephanie clarified ORR's role in these areas and offered to explore this at a future meeting.

Consultation on amending the Accessible Travel Policy Guidance

- 1.8 **David Kimball** introduced a paper setting out a number of policy options for a new Accessible Travel Policy requirement to ensure that train and station operators (including Network Rail) take disabled passenger and stakeholder views into account when proposing a reduction in staffing. The Panel was invited to comment on the options and risks set out in the paper, and to consider whether ORR had established a suitable basis to proceed to public consultation on amending the Accessible Travel Policy Guidance.
- 1.9 In response, the Panel:
- Praised ORR's iterative approach to policy development;
 - Asked for clarity on the roles of ORR and Transport Focus in the assessment of operators' fulfilment of the new requirement and the impact on ORR and operators of the additional workload that may be generated;
 - Discussed how ORR might:

- assess whether proposed mitigations for the delivery of assistance and information following staffing changes were sufficient;
- determine whether operators had sufficiently engaged with people with a broad spectrum of disabilities; and
- consider further ways to hold operators accountable for the impact of their staffing changes;
- consider passengers with other barriers to travel, such as older passengers and those digitally excluded; and
- consider providing guidelines about the weighing of different experiences and different stakeholder groups.

1.10 David clarified the scope of the proposed ATP Guidance changes and thanked the Panel for their valuable suggestions.

Understanding disabled peoples' experience of train companies' complaints process

1.11 **Claire Clark** introduced a paper exploring to what extent disabled people could engage with train operators' complaints process (i.e. issues covered by ORR's complaints Code of Practice, as well as the provision of redress for failed assistance) and if not why not, based on passenger and operator data.

1.12 ORR had found that operators' systems were broadly accessible to disabled people, but

- people with a condition that impacted their access had a worse experience; and
- the experience of claiming for redress for failed assistance was worse than making a complaint.

1.13 ORR was now:

- writing to the operators whose processes it reviewed;
- holding a workshop to disseminate good practice;
- requesting that operators' annual continuous improvement reports reflect the findings of the work; and
- continuing to monitor performance.

1.14 In response to queries from the Panel, Claire clarified that operators self-assessed performance against mandatory requirements as well as good practice, reminded the Panel of those requirements and outlined further work on signposting passengers to the Rail Ombudsman for escalating complaints.

1.15 The Panel also:

- Emphasised the criticality of operators learning from complaints to drive business improvements and demonstrate to disabled people that complaints are taken seriously;
- Highlighted that increasing volumes of complaints can represent success if passengers think complaining is a worthwhile action;
- Discussed to what extent disabled people's experience differs from that of other passengers, and whether common solutions can be found to benefit all passengers;
- Provided examples of support for disabled passengers in other sectors e.g. energy;
- Explored whether mystery shopping the disabled passenger experience or increased solicitation of disabled passenger feedback via forms might remove the burden of complaining from disabled people; and
- Touched on the drawbacks of relying on operator self-assessment for analysis.

1.16 Claire thanked the Panel for their advice, which she would consider further.

Stranded trains

1.17 **David Kimball** introduced the condensed version of an early draft of the findings and possible recommendations from research into meeting the needs of passengers when trains become stranded. He asked the panel whether the recommendations appear to address the findings, and what action ORR might consider to improve the passenger experience of stranded trains.

1.18 The following discussion explored:

- The differing risk factors for each stranded train incident, including the level of crowding onboard;
- The importance of staff safety during incidents;

- How passengers with additional needs, including disabled and neurodiverse needs, are supported;
- The example from Switzerland of an annual simulation exercise, the results of which are published for discussion;
- The need to take action within 60 minutes of the start of an incident; and
- ORR's role as a regulator and an industry convener in securing improvements and monitoring passenger outcomes during future incidents.

1.19 David thanked the panel and agreed to return with an update at a future meeting.

Closing Remarks and AOB

1.20 Anne Heal thanked the members for their contributions.

1.21 The Panel discussed plans for the next face to face meeting to take place in October.

1.22 At the Panel's request, ORR agreed to consider whether they could have the opportunity to review reports produced following major disruption, so they could have the chance to review the learning that took place and provide observations.

1.23 The next meeting would take place on 2nd July 2024.

