



**PROPOSALS FOR CHANGE TO THE
DELAY ATTRIBUTION GUIDE
September 2015 Edition
INDUSTRY FEEDBACK**

Consultation closed – 5th November 2015

To: Gerry Leighton,
Head of Stations, Depots and
Network Code
Office of Rail and Road
One Kemble Street
London
WC2B 4AN

Tel:
Email:

cc: Richard Morris
Chairman,
Delay Attribution Board.
Michael Scarf - ORR

Date: 27th November 2015

Submission of proposals for change to the September 2015 Delay Attribution Guide (DAG)

Dear Gerry,

I am writing seeking approval for proposed changes to the Delay Attribution Guide in accordance with Track Access Condition B2.7.2.

Please find appended to this letter details of the following Proposals for Change accepted by the Board:

VTEC001 – Sports R7
DAB/P250 – Crew Provision
DAB/P251 – Prime Cause Definition
DAB/P252 – DAG tidy
DAB/P253 – Animal Incursion
NR/P181 – I3 Removal
NR/P182 – JL/IZ usage

The details for each proposal consist of the following information:

- 1** The Proposal for Change from the sponsor.
- 2** A list of the industry responses to the Proposals for Change.
- 3** The DAB decision and consideration of the responses from the industry.

I have omitted those Proposals for Change that were rejected by the Board and have gone back out for Industry Consultation but I am happy to provide further commentary on those should you wish.

The proposals for amendment to the Delay Attribution Guide were put out to Industry Parties for formal consultation in accordance with Track Access Condition B2.5.2. The deadline for Industry responses was 5th November. A number of Industry Parties responded to the consultation process and these responses are included in this submission.



**PROPOSALS FOR CHANGE TO THE
DELAY ATTRIBUTION GUIDE
September 2015 Edition
INDUSTRY FEEDBACK**

Consultation closed – 5th November 2015

All decisions made by the Board have been unanimous except DAB P253 which was majority. A copy of the minutes of the meetings where the proposed amendments were agreed (and indeed those rejected) is available should you require it.

I await your advice on whether you approve the amendment proposed. Finally, in accordance with Track Access Condition B2.7.1, the Board has agreed that any changes approved by the Regulator should come into effect **1st April 2016**

Should you wish to discuss any aspect of this submission or the proposals for that matter, please do not hesitate to contact me as detailed above.

Kind regards,

Mark Southon

Delay Attribution Board Secretary

Proposal reference Number:	VTEC/P001	DAB/P250	DAB/P251	DAB/P252	DAB/P253	DAB/P254	DAB/P255	DAB/P256	NR/P181	NR/P182	NR/P183
Company Organisation											
Abellio Greater Anglia											
Arriva Trains Wales											
c2c Rail Ltd *											
Chiltern Railways *											
Colas Rail											
DB Regio Tyne & Wear											
DBSchenker		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						
Devon & Cornwall Railways											
Direct Rail Services *											
East Midland Trains	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Eurostar International											

Proposal reference Number:	VTEC/P001	DAB/P250	DAB/P251	DAB/P252	DAB/P253	DAB/P254	DAB/P255	DAB/P256	NR/P181	NR/P182	NR/P183
First / Keolis Transpennine *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Great Western Railway*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
First Hull Trains											
Freightliner											
GB Railfreight											
Govia Thameslink Railway *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Grand Central Railway											
Harsco Rail											
Heathrow Express											
London Midland											
London Overground											
Merseyrail											
North Yorkshire Moors											
Northern Rail *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Proposal reference Number:	VTEC/P001	DAB/P250	DAB/P251	DAB/P252	DAB/P253	DAB/P254	DAB/P255	DAB/P256	NR/P181	NR/P182	NR/P183
Scotrail *											
Southeastern Railway *											
Southern											
Stagecoach South West											
Virgin Trains (West Coast)*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Virgin Trains East Coast *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
West Coast Railway *											
XC Trains											
Network Rail	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

Any Track Access Party may sponsor a proposed amendment to the Delay Attribution Guide (DAG) or Performance Data Accuracy Code (PDAC) (as defined in the Network Code Part B 2.5.1). This form sets out the information requirements for any proposal submitted for consideration by the Delay Attribution Board.
Appendices should be provided where necessary.

Originators Reference Code / N ^o	DAB/P250 – Train Crew provision						
Name of the original sponsoring organisation(s)	DAB						
Exact details of the change proposed	<p><i>Amend / Expand 4.24.1 (extra wording shown in red)</i></p> <p>4.24.1 Delays or cancellations caused by train crew late booking on duty for whatever reason is the responsibility of the train operator and should be allocated to a new prime cause incident. This includes circumstances where train crew are ‘after rest’ due to an incident on their previous turn of duty and also including Lodging Turns where the member of crew books off and back on again.</p> <p><i>Add wording (in red) to 4.24.3(a) to read:-</i></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 5%; text-align: center; padding: 5px;"><i>a</i></td> <td style="width: 65%; padding: 5px;">If the Train Operator confirms that the train crew were working a late inward service (on same turn of duty) and both incoming and outgoing services are the responsibility of the same operator.</td> <td style="width: 10%; text-align: center; padding: 5px;">YJ</td> <td style="width: 20%; padding: 5px;">Attribute to principal TRUST Incident causing inward train to be late</td> </tr> </table>			<i>a</i>	If the Train Operator confirms that the train crew were working a late inward service (on same turn of duty) and both incoming and outgoing services are the responsibility of the same operator.	YJ	Attribute to principal TRUST Incident causing inward train to be late
<i>a</i>	If the Train Operator confirms that the train crew were working a late inward service (on same turn of duty) and both incoming and outgoing services are the responsibility of the same operator.	YJ	Attribute to principal TRUST Incident causing inward train to be late				
Reason for the change	<p>Prime cause attribution</p> <p>In relation to the publication of DAB 24 and more recently DAB 39 guidance notes, relating to the provision of crew booking on after rest (including lodging turns).</p> <p>This proposal is a re-submission of DAB/P239 which was previously consulted, but put on hold pending the Request for Guidance concerning lodging turns (DAB 39 Guidance).</p> <p>Also emanating from DAB 39 guidance was the need to clarify 4.24.3(a) as this would apply to crew that are already on shift / diagram.</p> <p>The DAG should therefore be clarified to include the guidance given and therefore, remove the perceived dubiety and to improve the overall process; to reduce the time spent debating common issues through the attribution process.</p>						

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

- 1. Do you perceive that this proposal will have a wider impact (including commercial impact) on your business or the business of any other industry parties?**

If yes;

For Network Rail – Please provide an impact assessment indicating the impact of the proposal on all affected industry parties.

For Train Operator – Please provide an impact assessment on your own business.

Clarity – Reduction in resolution process time

- 2. If you have provided an impact assessment as per question 1 above, please provide a proposed solution to neutralise any financial effect of the proposal.**

N/A

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

DAB/P250 – Train Crew provision

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	Accepts the proposal as submitted
Network Rail	Accepts the proposal as submitted.
DBSchenker	<p>Yes subject to the following:</p> <p>For the purposes of adding further clarity, DBSR considers that the proposed new wording of DAG4.24.1 should be amended to read as follows:</p> <p>“4.24.1 Delays or cancellations caused by train crew booking on duty late for whatever reason is the responsibility of the Train Operator and should be allocated to a new prime cause incident. This includes circumstances where train crew are late following regulation rest breaks either within the turn of duty or between turns when required to ‘lodge’.”</p> <p>For the purposes of adding further clarity, DBSR considers that the proposed new wording in DAG4.24.3(a) should be amended to read as follows:</p> <p>“If the Train Operator confirms that the train crew were working a late inward service and both the incoming and outgoing services (on the same turn of duty) are the responsibility of the same Train Operator.”</p>
DAB DECISION	<p>The Board when reaching its decision at the 24th November 2015, Board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board agreed with and accepted the improved wording proposed by DBSchenker with one amendment being the word ‘is’ to ‘are’ (highlighted in red below).</p> <p>DAG entry agreed for 4.24.1 will therefore read:-</p> <p>4.24.1 Delays or cancellations caused by train crew booking on duty late for whatever reason are the responsibility of the Train Operator and should be</p>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

	<p>allocated to a new prime cause incident. This includes circumstances where train crew are late following regulation rest breaks either within the turn of duty or between turns when required to 'lodge'.</p> <p>and 4.24.3(a) will read:-</p> <p>'If the Train Operator confirms that the train crew were working a late inward service and both the incoming and outgoing services (on the same turn of duty) are the responsibility of the same Train Operator'</p>
--	---

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

Any Track Access Party may sponsor a proposed amendment to the Delay Attribution Guide (DAG) or Performance Data Accuracy Code (PDAC) (as defined in the Network Code Part B 2.5.1). This form sets out the information requirements for any proposal submitted for consideration by the Delay Attribution Board.

Appendices should be provided where necessary.

Originators Reference Code / N ^o	DAB / P251 Prime Cause
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p>Add new paragraph 2.7.1</p> <p>2.7.1 Prime Cause. Prime Cause is the immediate cause or event that results in delay to a train. Until the Prime Cause event occurs there will be no delay. Without that event, delays would not have occurred. Prime cause is NOT a reaction to a previous incident.</p> <p>Where a delay that would not have ordinarily occurred is caused by a human error or oversight then that delay should be considered as a potential new prime cause</p> <p>Examples of Application of Prime Cause can be found in DAB Process and Guidance Document PGD1</p> <p>Renumber current 2.7.1 and subsequent paragraphs</p> <p>Amend 3.1.4 as below:-</p> <p>3.1.4 Attribution should be to Prime Cause as defined in DAG 2.7.1</p>
Reason for the change	<p>For many years the Industry has been debating the difference between root and prime cause and what to apply in terms of attribution, often with inconsistent results.</p> <p>DAB subsequently formed a sub group to review how prime cause could be defined and, more importantly, demonstrated, to help all DAG users understand the principles of Prime Cause and application within attribution</p> <p>This proposal seeks to clarify the meaning of Prime Cause in the Definitions section (2.7) but most importantly to give some examples of application which will be found in the DAB Process and Guidance Document (appended to the DAG)</p>

1. Do you perceive that this proposal will have a wider impact (including commercial impact) on your business or the business of any other industry parties?

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

If yes;

For Network Rail – Please provide an impact assessment indicating the impact of the proposal on all affected industry parties.

For Train Operator – Please provide an impact assessment on your own business.

No commercial impact should be seen – clarity of a long standing requirement.

- 2. If you have provided an impact assessment as per question 1 above, please provide a proposed solution to neutralise any financial effect of the proposal.**

N/A

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

DAB / P251 Prime Cause

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	Accepted the proposal as submitted
Network Rail	Accepted the proposal as submitted
DBSchenker	<p>Yes subject to the following:</p> <p>For the purposes of adding further clarity, DBSR considers that the proposed new paragraph DAG2.7.1 should be amended to read as follows:</p> <p>“2.7.1 Prime Cause The immediate cause or event that results in delay to a train is known as “Prime Cause”. Until a Prime Cause has occurred there will be no delay to a train service. For the avoidance of doubt, “Prime Cause” cannot be a reaction to a previous incident. In addition, where a delay is caused by a human error or oversight then that delay should be considered as a potential new “Prime Cause”. Examples of the Application of Prime Cause can be found in DAB Process and Guidance Document PGD1.”</p> <p>DBSR also considers that the proposal:</p> <p>“Renumber current 2.7.1 and subsequent paragraphs” should read “Renumber current paragraphs 2.7.1 to 2.7.6 accordingly”.</p>
DAB DECISION	<p>The Board when reaching its decision at the 24th November 2015, Board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board agreed with and accepted the improved layout of wording proposed by DBSchenker with an additional footnote to be added (shown in red below) to advise users where to find the Process and Guidance Document</p> <p>The entry therefore agreed for DAG for 2.7.1 will read:-</p> <p>2.7.1 Prime Cause The immediate cause or event that results in delay to a train is known as “Prime Cause”. Until a Prime Cause has occurred there will be no delay to a train service.</p>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

	<p>For the avoidance of doubt, “Prime Cause” cannot be a reaction to a previous incident. In addition, where a delay is caused by a human error or oversight then that delay should be considered as a potential new “Prime Cause”. Examples of the Application of Prime Cause can be found in DAB Process and Guidance Document PGD1 (which can be found on the DAB website)</p> <p>The Board also agreed that to ensure renumbering accuracy in the proposal, the DBSchenker wording also assists.</p> <p>Renumber current paragraphs 2.7.1 to 2.7.6 accordingly</p>
--	--

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

Any Track Access Party may sponsor a proposed amendment to the Delay Attribution Guide (DAG) or Performance Data Accuracy Code (PDAC) (as defined in the Network Code Part B 2.5.1). This form sets out the information requirements for any proposal submitted for consideration by the Delay Attribution Board.
 Appendices should be provided where necessary.

Originators Reference Code / N ^o	DAB/P252 DAG Tidy Ups Part 1
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<ol style="list-style-type: none"> 1) Amend all cases of 'Off Network' to read 'off Network Rail network' 2) Change wording '(use delay code IN)' in 4.44.2 to '(use delay code I* , J*)' 3) Move 5th paragraph in the Foreword 'The majority of freight...' to a new 4.18.1. Renumber subsequent paragraphs. 4) 4.10.2 table – re-letter (m), (n) and (o) to (l), (m) and (n) 5) 4.10.3 table – re-letter (p) to (e) 6) 4.39.1 table – re-letter (m) and (n) to (l) and (m)
Reason for the change	<ol style="list-style-type: none"> 1) Off Network (capital N) refers to something off the entire rail system (not just off the Network Rail infrastructure). Change suggested correcting the 'N' to 'n' and clarifying further by adding Network Rail. 2) Delay code IN is not appropriate for all the Network Responsibility failures in the table in 4.44.5 so should be the generic I* / J* 3) The paragraph relating to 'off-network' sits better within section 4.18 where it will be noticed rather than the foreword 4) Re-lettering in table for consistency (letter l missing) 5) Re-lettering in table for consistency (erroneous 'p') 6) Re-lettering in table for consistency (letter l missing)

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

- 1) Do you perceive that this proposal will have a wider impact (including commercial impact) on your business or the business of any other industry parties?**

If yes;

For Network Rail – Please provide an impact assessment indicating the impact of the proposal on all affected industry parties.

For Train Operator – Please provide an impact assessment on your own business.

No commercial impact – All changes for layout improvements / accuracy

- 2) If you have provided an impact assessment as per question 1 above, please provide a proposed solution to neutralise any financial effect of the proposal.**

n/a

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

DAB/P252 DAG Tidy Ups Part 1

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	Accepted the proposal as submitted
Network Rail	Accepted the proposal as submitted
DBSchenker	<p>Yes subject to the following:</p> <p>For the purposes of adding further clarity, DBSR considers that in addition to moving the 5th paragraph of the Forward to a new DAG4.18.1, the wording should also be amended to read as follows:</p> <p>“The majority of incidents in freight terminals/yards are treated as ‘off Network Rail network” and are coded in accordance with this section 4.18. However, on 31st October 2014 a significant number of freight yards/terminals (108) were transferred from various Freight Operators into Network Rail’s ownership. Whilst some of these sites are wholly sub-let to third parties and will, consequently, remain “off Network Rail network” and others are “out of use”, the remainder will be incorporated into Network Rail’s network(either in whole or in part) and operated by Network Rail. Incidents occurring in the Network Rail operated yards/terminals should be coded in accordance with section 4.19.”</p> <p>The proposal to renumber section 4.18 as a result of the above, should read “Current paragraphs 4.18.1 to 4.18.3 should be renumbered accordingly.</p> <p>As a result of the proposed new paragraph 4.18.1, existing paragraph 4.18.4 is otiose and should therefore be removed.</p>
DAB DECISION	<p>The Board when reaching its decision at the 24th November 2015, Board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board agreed with and accepted the improved wording proposed by DBSchenker for DAG 4.18.1, which although was only being moved within the DAG assists with clarity. Therefore the new 4.18.1 will read:-</p>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

	<p>The majority of incidents in freight terminals/yards are treated as ‘off Network Rail network’ and are coded in accordance with this section 4.18. However, on 31st October 2014 a significant number of freight yards/terminals (108) were transferred from various Freight Operators into Network Rail’s ownership. Whilst some of these sites are wholly sub-let to third parties and will, consequently, remain “off Network Rail network” and others are “out of use”, the remainder will be incorporated into Network Rail’s network(either in whole or in part) and operated by Network Rail. Incidents occurring in the Network Rail operated yards/terminals should be coded in accordance with section 4.19</p> <p>All other elements of DAB P252 agreed as stated in the Proposal.</p>
--	---

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

Any Track Access Party may sponsor a proposed amendment to the Delay Attribution Guide (DAG) or Performance Data Accuracy Code (PDAC) (as defined in the Network Code Part B 2.5.1). This form sets out the information requirements for any proposal submitted for consideration by the Delay Attribution Board. Appendices should be provided where necessary.

Originators Reference Code / N ^o	DAB/P253 – Animal Incursion			
Name of the original sponsoring organisation(s)	DAB			
Exact details of the change proposed	Add new section 4.34.4 as below			
	4.34.4 Animal Incursion			
	In instances of animal incursion that do not result in an animal strike as set out in 4.34.3 above, attribution should be applied as to how the incursion was reported and action taken by the appropriate person in line with current Rules and Regulations			
	No.	Circumstances	Delay Code	Incident Attribution
	a.	Animal incursion reported as a safety of the line incident. Delay occurs to reporting train and subsequent reactionary.	I8 / X8 in line with rationale in 4..34.3	Network Rail (IQ** / XQ**).
b.	Animal incursion reported by driver (not as safety of line). Delay occurs to reporting train.	TG / FC	Operator of train involved (T##*/F##*)	
c.	Animal incursion reported (not as safety of the line). No delay to reporting train but to subsequent train(s) due to signaller cautioning.	OC	Network Rail (OQ**)	
Reason for the change	<p>A recent Request for Guidance (DAB38) covering scenarios of animal incursion and the delays resulting from the reporting of such led the DAB to agree that despite section 4.3 stating ‘incursion’ in the header, it does not formally give guidance on those circumstances.</p> <p>This proposal for change therefore covers the ‘incursion’ gap in the DAG with the scenarios set out above, in line with the Guidance given in DAB 38.</p>			

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

- 1. Do you perceive that this proposal will have a wider impact (including commercial impact) on your business or the business of any other industry parties?**

If yes;

For Network Rail – Please provide an impact assessment indicating the impact of the proposal on all affected industry parties.

For Train Operator – Please provide an impact assessment on your own business.

Clarity – Improved Guidance - Reduction in resolution process time

- 2. If you have provided an impact assessment as per question 1 above, please provide a proposed solution to neutralise any financial effect of the proposal.**

N/A

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

DAB/P253 – Animal Incursion

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	Rejected – It is believed that the guidance in box ‘b’ of the proposal is contradictory to the Rule Book instructions TS8 4.2.1-4, Section TW1 section 20 and GS 18.2 which all require the Driver to report an animal on the line, hence a Driver reporting an animal is applying the Rule Book requirement for a safety of the line event.
Network Rail	<p>Yes subject to the following:</p> <p>1. It is felt that the Animal Incursion attribution may continue to be difficult as Safety of the Line would need to be defined.</p> <p>There are several places in the proposal where “safety of the line” is referred to. It is not clear if this is a defined term in the context of the Rule Book or Safety Standards. If it is, this should be made clear; if not then the context should be clarified.</p> <p>2. Further, we believe the wording in point (a) could be strengthened as follows:</p> <p>Animal incursion reported as a safety of the line incident. Delay occurs to reporting train and subsequent cautioning.</p> <p>3. And that the wording in point (c) could be improved as follows:</p> <p>Animal incursion reported (not reported as safety of the line or per current Rules). No delay to reporting train but to subsequent train(s) due to signaller cautioning</p>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

Company Organisation	Comments
DBSchenker	<p>Yes subject to the following:</p> <p>DBSR understands that DAB38 concluded that delays of this nature would only be allocated to Train Operators if the animal incursion was not reported at all. If this is understanding is correct, then proposed DAG 4.34.4(b) needs to be amended to “Animal incursion not reported by driver. Delay to reporting train and any subsequent reactionary delay.”</p> <p>For the purposes of adding further clarity, DBSR considers that the proposed wording of DAG 4.34.4(a) should read “Animal incursion reported as a safety of the line incident. Delay to reporting train and any subsequent reactionary delay.”</p> <p>For the purposes of adding further clarity, DBSR considers that the proposed wording of DAG 4.34.4(c) should read “Animal incursion reported (not as a safety of the line incident). No delay to reporting train but delay occurs to subsequent train(s).”</p>
DAB DECISION	<p>The Board when reaching its decision at the 24th November 2015, Board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>This proposal was rejected by DAMG and the relevant Rule Book sections were again reviewed and discussed (in line with previous Guidance given in DAB38) and with alterations proposed by Network Rail and DBSchenker.</p> <p>The alterations proposed were dealt with first and agreed (as shown in the revised version below - in red)</p> <p>During the DAB meeting agreement could not be reached and the Proposal for Change was put to the vote. The voting recorded was 10 (ten) FOR and 1 (one) AGAINST (being 11 members present)</p> <p>It was noted that the Board could not be seen to amend the DAG against current Rule Book stipulations (as understood by the Board). If the Rule Book was to change then this section would be reviewed and brought in line with any amendments.</p> <p>DAB therefore agreed the Proposal with the agreed changes being made. However, as a result of the debate it was agreed by all parties that a footnote should be added to clarify what is</p>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

Company Organisation	Comments																			
	<p>understood to be 'Safety of the Line' in this scenario covering safety of the train, the passengers or the overall safe operation of the railway.</p> <p>4.34.4 will now read as follows (written out in its entirety for ease) with alterations in red:-</p> <p>4.34.4 Animal Incursion</p> <p>In instances of animal incursion that do not result in an animal strike as set out in 4.34.3 above, attribution should be applied as to how the incursion was reported and action taken by the appropriate person in line with current Rules and Regulations</p> <table border="1" data-bbox="496 835 1342 1641"> <thead> <tr> <th data-bbox="496 835 571 943">No.</th> <th data-bbox="571 835 911 943">Circumstances</th> <th data-bbox="911 835 1102 943">Delay Code</th> <th data-bbox="1102 835 1342 943">Incident Attribution</th> </tr> </thead> <tbody> <tr> <td data-bbox="496 943 571 1223">a.</td> <td data-bbox="571 943 911 1223">Animal incursion reported as a safety of the line incident. Delay occurs to reporting train and any subsequent cautioning.</td> <td data-bbox="911 943 1102 1223">I8 / X8 in line with rationale in 4.34.3</td> <td data-bbox="1102 943 1342 1223">Network Rail (IQ** / XQ**).</td> </tr> <tr> <td data-bbox="496 1223 571 1391">b.</td> <td data-bbox="571 1223 911 1391">Animal incursion reported by driver (not as safety of line). Delay occurs to reporting train.</td> <td data-bbox="911 1223 1102 1391">TG / FC</td> <td data-bbox="1102 1223 1342 1391">Operator of train involved (T##*/F##*)</td> </tr> <tr> <td data-bbox="496 1391 571 1641">c.</td> <td data-bbox="571 1391 911 1641">Animal incursion reported (not reported as safety of the line per current Rules). No delay to reporting train but delay occurs to subsequent train(s).</td> <td data-bbox="911 1391 1102 1641">OC</td> <td data-bbox="1102 1391 1342 1641">Network Rail (OQ**)</td> </tr> </tbody> </table> <p>Note: Safety of the Line in this circumstance is deemed to be where the reporting person believes there is potential risk to the safety of their train, other trains, any persons on those trains or the overall safe operation of the railway.</p>				No.	Circumstances	Delay Code	Incident Attribution	a.	Animal incursion reported as a safety of the line incident. Delay occurs to reporting train and any subsequent cautioning .	I8 / X8 in line with rationale in 4.34.3	Network Rail (IQ** / XQ**).	b.	Animal incursion reported by driver (not as safety of line). Delay occurs to reporting train.	TG / FC	Operator of train involved (T##*/F##*)	c.	Animal incursion reported (not reported as safety of the line per current Rules). No delay to reporting train but delay occurs to subsequent train(s).	OC	Network Rail (OQ**)
No.	Circumstances	Delay Code	Incident Attribution																	
a.	Animal incursion reported as a safety of the line incident. Delay occurs to reporting train and any subsequent cautioning .	I8 / X8 in line with rationale in 4.34.3	Network Rail (IQ** / XQ**).																	
b.	Animal incursion reported by driver (not as safety of line). Delay occurs to reporting train.	TG / FC	Operator of train involved (T##*/F##*)																	
c.	Animal incursion reported (not reported as safety of the line per current Rules). No delay to reporting train but delay occurs to subsequent train(s).	OC	Network Rail (OQ**)																	

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

Any Track Access Party may sponsor a proposed amendment to the Delay Attribution Guide (DAG) or Performance Data Accuracy Code (PDAC) (as defined in the Network Code Part B 2.5.1). This form sets out the information requirements for any proposal submitted for consideration by the Delay Attribution Board.

Appendices should be provided where necessary

Originators Reference Code / N ^o	NR/P181 – Delay Code I3 removal																		
Name of the original sponsoring organisation(s)	Network Rail																		
Exact details of the change proposed	<p>Remove Delay Code I3</p> <p>Remove I3 delay code from Section 71 – Infrastructure Causes</p> <p>Amend 4.28.11 so as to read:-</p> <p>4.28.11 Electrification</p> <p>Code I1 should be used for a failure of the overhead line equipment or the third rail equipment.</p> <p>Code I2 should be used where trips on OHLE or third rail (not relating to pantographs or shoes) occur and no known reason can be found.</p> <p>Obstruction of the overhead wires or third rail should be allocated to the reason for the item being there, i.e. weather, vandalism, trespass or items which have been thrown or have fallen from a train.</p> <p>Code I4 should be used when there are problems associated with motorised and manual switches, incoming breakers, track feeder breakers and isolation irregularities.</p> <p>Code JP should be used where the OCB trip is caused by vegetation within the 5 metre confines of the flail strip, including when attached to a structure.</p> <p>Amend 4.31.2 so as to read:-</p> <p>4.31.2 Likely situations:</p> <table border="1" data-bbox="459 1729 1401 2094"> <thead> <tr> <th data-bbox="459 1729 555 1834">No.</th> <th data-bbox="555 1729 906 1834">Circumstances</th> <th data-bbox="906 1729 1152 1834">Delay Code</th> <th data-bbox="1152 1729 1401 1834">Incident Attribution</th> </tr> </thead> <tbody> <tr> <td data-bbox="459 1834 555 1921">a.</td> <td data-bbox="555 1834 906 1921">Wires down due to high winds</td> <td data-bbox="906 1834 1152 1921">XW</td> <td data-bbox="1152 1834 1401 1921">Network Rail (XQ**)</td> </tr> <tr> <td data-bbox="459 1921 555 2009">b.</td> <td data-bbox="555 1921 906 2009">OHLE trip (cause not known)</td> <td data-bbox="906 1921 1152 2009">I2</td> <td data-bbox="1152 1921 1401 2009">Network Rail (IQ**)</td> </tr> <tr> <td data-bbox="459 2009 555 2094">c.</td> <td data-bbox="555 2009 906 2094">Miscellaneous items on the OHLE</td> <td data-bbox="906 2009 1152 2094">Appropriate to item / cause</td> <td data-bbox="1152 2009 1401 2094">Network Rail (IQ** / XQ**)</td> </tr> </tbody> </table>			No.	Circumstances	Delay Code	Incident Attribution	a.	Wires down due to high winds	XW	Network Rail (XQ**)	b.	OHLE trip (cause not known)	I2	Network Rail (IQ**)	c.	Miscellaneous items on the OHLE	Appropriate to item / cause	Network Rail (IQ** / XQ**)
No.	Circumstances	Delay Code	Incident Attribution																
a.	Wires down due to high winds	XW	Network Rail (XQ**)																
b.	OHLE trip (cause not known)	I2	Network Rail (IQ**)																
c.	Miscellaneous items on the OHLE	Appropriate to item / cause	Network Rail (IQ** / XQ**)																

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

	No.	Circumstances	Delay Code	Incident Attribution
	d.	OHLE power reduction	I4	Network Rail (IQ**)
	e.	Locomotive ADD activation	M1	Operator of train concerned (M##*)
	f.	Tripping or damage due to vandalism	XB	Network Rail (XQ**)
	g.	Incident subject to formal inquiry	FU / TU	Network Rail (OQ**)
Reason for the change	<p>As part of the ongoing review and rationalisation of delay codes, I3 has been identified as being of limited use by nature of its definition - 'Obstruction on OHL, cause of which is not known'</p> <p>There are little or no circumstances that an item / object can be on the OHL without it being identified what it is / how it got there. If tripping occurs and no cause is found, code I2 is utilised.</p> <p>The entry of I3 within the DAG is also slightly contradictory – 4.31.2c states 'Miscellaneous items on the OHLE, other than vandalism' – i.e. except where vandalism is expected then utilise I3.</p> <p>Therefore it is believed, that for all objects on the OLE should be coded to identified object and cause.</p> <p>Whilst amending the DAG for I3 removal, the opportunity is being taken to improve / clarify related entries such as section 4.28.11 Electrification and 4.31 Wires Down.</p>			

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

- 1. Do you perceive that this proposal will have a wider impact (including commercial impact) on your business or the business of any other industry parties?**

If yes;

For Network Rail – Please provide an impact assessment indicating the impact of the proposal on all affected industry parties.

For Train Operator – Please provide an impact assessment on your own business.

No Commercial Impact. Minor Reporting Realignment Required for I3

- 2. If you have provided an impact assessment as per question 1 above, please provide a proposed solution to neutralise any financial effect of the proposal.**

N/A

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

NR/P181 – Delay Code I3 removal

Company Organisation	Comments				
DAMG - on behalf of the identified companies as per page 1	Accepted				
Network Rail	<p>Yes subject to the following:</p> <p>There is a minor typographical error as follows: 4.28.11(g) unintentional alteration to responsible manager code – should be F##*/M##* as current DAG.</p>				
DAB DECISION	<p>The Board when reaching its decision at the 24th November 2015, Board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The DAB noted the inadvertent amendment to the Responsibility in scenario 'g' (although the reference stated by Network Rail was wrong) and agreed 4.31.2(g) should read as per the September 2015 DAG (no alteration intended in the proposal)</p> <table border="1" data-bbox="440 1211 1378 1337"> <tr> <td data-bbox="440 1211 536 1337">g.</td> <td data-bbox="536 1211 884 1337">Incident subject to formal inquiry</td> <td data-bbox="884 1211 1131 1337">FU / TU</td> <td data-bbox="1131 1211 1378 1337">Operator of the train involved (F##* / T##*)</td> </tr> </table> <p>The remainder of the Proposal accepted as submitted.</p>	g.	Incident subject to formal inquiry	FU / TU	Operator of the train involved (F##* / T##*)
g.	Incident subject to formal inquiry	FU / TU	Operator of the train involved (F##* / T##*)		

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

Any Track Access Party may sponsor a proposed amendment to the Delay Attribution Guide (DAG) or Performance Data Accuracy Code (PDAC) (as defined in the Network Code Part B 2.5.1). This form sets out the information requirements for any proposal submitted for consideration by the Delay Attribution Board.

Appendices should be provided where necessary

Originators Reference Code / N ^o	NR/P182 – Staff Errors and IZ usage
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p>Add new entry as 4.28.17 as below:-</p> <p>4.28.17 Staff Errors (Delay Code JL)</p> <p>Staff errors (delay code JL) should only be utilised:-</p> <ul style="list-style-type: none"> • When there is a confirmed staff error which causes damage and an immediate failure of an asset (e.g. cable cut by contractor) • When failure is caused by direct action or by not following standards and or procedure <p>Staff errors should not be considered for:-</p> <ul style="list-style-type: none"> • A subsequent reactionary failure (e.g. tracing a fault in a location cabinet that causes a TCF due to a loose wire). • A fault that manifests itself after 24 hours of train running from any work being carried out (which is to be considered an asset failure) <p>Add new entry as 4.28.18 as below:-</p> <p>4.28.18 Infrastructure Other (Delay Code IZ)</p> <ul style="list-style-type: none"> • Delay code IZ should NOT be used:- • Where a delay code exists that represents the cause • Because there is no FMS number recorded • For repeat failures • Design limitations • For TRUST incidents that should have been merged to the original failure incident
Reason for the change	<p>As part of the ongoing review of delay codes within Network Rail and particularly for maintenance related incidents, JL and IZ have been identified as being too often mis-applied by nature of their definition and interpretation.</p> <p>It is therefore deemed necessary to clarify the correct and appropriate use of delay codes JL and IZ to improve understanding, accurate and consistent use across the Network and therefore improve responsibility of associated failures.</p>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

	<p>As in the proposal above, sometimes it is appropriate to spell out what codes should not be used for (to remove the 'it doesn't say you can't' debate)</p> <p>This proposal supplements and supports recent internal guidance given within Network Rail to maintenance teams but it is considered appropriate to have it formally documented in the DAG for effectiveness and wider Industry visibility.</p>
--	---

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

1. Do you perceive that this proposal will have a wider impact (including commercial impact) on your business or the business of any other industry parties?

If yes;

For Network Rail – Please provide an impact assessment indicating the impact of the proposal on all affected industry parties.

For Train Operator – Please provide an impact assessment on your own business.

No Commercial Impact. Clarity of use.
Possible realignment of reporting where misapplied historically.

2. If you have provided an impact assessment as per question 1 above, please provide a proposed solution to neutralise any financial effect of the proposal.

N/A

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

NR/P182 – Staff Errors and IZ usage

Company Organisation	Comments
<p>DAMG - on behalf of the identified companies as per page 1</p>	<p>1. Do you accept the proposed change? Accepted</p> <p>2. Are there any specific amendments that you consider should be incorporated within the change proposal?</p> <p>If yes, please explain the changes here and the reasons why they are required. REMOVE THE EXTRA BULLET POINT ON 4.28.18 from</p> <ul style="list-style-type: none"> • Delay Code IZ should NOT be used :- <p>To Delay Code IZ should NOT be used :-</p>
<p>Network Rail</p>	<p>1. Do you accept the proposed change? Yes</p> <p>2. Are there any specific amendments that you consider should be incorporated within the change proposal?</p> <p>If yes, please explain the changes here and the reasons why they are required. In this paragraph</p> <p>4.28.18 Infrastructure Other (Delay Code IZ)</p> <ul style="list-style-type: none"> • Delay code IZ should NOT be used:- • Where a delay code exists that represents the cause • Because there is no FMS number recorded • For repeat failures • Design limitations • For TRUST incidents that should have been merged to the original failure incident <p>We believe the first line (starting Delay Code IZ) should not be bulleted</p>
<p>DAB DECISION</p>	<p>The Board when reaching its decision at the 24th November 2015, Board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Proposal was agreed as presented with just the</p>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

Company Organisation	Comments
	<p>minor format change noted to 4.28.18 bullets. 4.28.17 remains as proposed above. 4.28.18 will therefore read as below (with the line in red losing the bullet):-</p> <p>4.28.18 Infrastructure Other (Delay Code IZ)</p> <p>Delay code IZ should NOT be used:-</p> <ul style="list-style-type: none"> • Where a delay code exists that represents the cause • Because there is no FMS number recorded • For repeat failures • Design limitations <p>For TRUST incidents that should have been merged to the original failure incident</p>

Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

Any Track Access Party may sponsor a proposed amendment to the Delay Attribution Guide (DAG) or Performance Data Accuracy Code (PDAC) (as defined in the Network Code Part B 2.5.1). This form sets out the information requirements for any proposal submitted for consideration by the Delay Attribution Board.

Appendices should be provided where necessary

Originators Reference Code / N ^o	VTEC001 "Sports"
Name of the original sponsoring organisation(s)	Jim Pepper, Delay Attribution Manager Virgin Trains East Coast.
Exact details of the change proposed	Amend the abbreviation in Section 7R - Station Operating Company Causes for Code R7 from 'SPORTS' to read:- "SPEC EVENT"
Reason for the change	Delays due to increased passenger loadings for special events coded to R7 encompass not only sporting events, but also music concerts, cultural festivals, political rallies, student migrations and even armed forces exercises. However, the abbreviation does not reflect this and this sometimes causes confusion for readers of reports produced from TRUST incident data.

1. Do you perceive that this proposal will have a wider impact (including commercial impact) on your business or the business of any other industry parties?

If yes;

For Network Rail – Please provide an impact assessment indicating the impact of the proposal on all affected industry parties.

For Train Operator – Please provide an impact assessment on your own business.

None. Data clarity only

2. If you have provided an impact assessment as per question 1 above, please provide a proposed solution to neutralise any financial effect of the proposal.

N/A

VTEC/P001 Amendments to delay code R7 sports

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	Accepted
Network Rail	Accepted
DAB DECISION	<p>The Board when reaching its decision at the 24th November 2015, Board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Proposal was agreed by the Board as presented above with no alterations.</p>