Gerry Leighton
Head of Stations & Depots and Network Code
Telephone 020 7282 2030
E-mail gerry.leighton@orr.gov.uk

18 June 2020

Chairman
Delay Attribution Board
Floor 8
1 Eversholt Street
London
NW1 2DN

NOTICE OF APPROVAL OF AMENDMENTS TO THE APRIL 2020 DELAY ATTRIBUTION PRINCIPLES AND RULES

1. This notice is given under Condition B2.7.2 of the Network Code. Terms defined in the Network Code have the same meaning in this notice. References in this notice to Conditions are references to Conditions of the Network Code.

2. On 3 June 2020 the Delay Attribution Board (DAB) submitted Proposals for Amendment to the Office of Rail and Road (ORR) in accordance with Condition B2.7.1.

3. The Secretary to the DAB has confirmed the reasons for the proposed amendments and these have been accepted by the DAB following the consultation process, as required by Condition B2.7.1.

4. For the purpose of Condition B2.7.2. ORR now gives notice to the DAB that it approves the Proposals for Amendment. All amendments included within the proposal will take effect from 20 September 2020.

5. A schedule of the approved Amendments to the Delay Attribution Principles and Rules is attached to this notice.

Yours sincerely

GERRY LEIGHTON
Duly authorised by the Office of Rail and Road

Schedule 1

DAB P328 – Balise Interface

Amend DAPR Section G2 Title to read: -

G2 BALISE Operational Interface Incidents

Add new entry G2.2 to covering Selective Door opening as below: -

G2.2 **Selective Door Opening BALISE Systems**

G2.2.1 Many trains now have Selective Door Opening (SDO) which allows longer trains to open the correct doors at short platforms. Some SDO systems are wholly train based, whilst in some locations the SDO operation is dependent on the functioning of trackside equipment known as Balise beacons. Notwithstanding any manual override opportunities, in the event of failure of either system then delay coding should be:

No.	Circumstances	Delay Code	Incident Attribution
a.	Delays associated with faults in the train borne PIBS equipment	M7	Train Operator (M##*)
b.	If the SDO Balise (Network Rail responsibility trackside equipment) is defective or fails.	IM	Network Rail (IQ**)
c.	If the SDO Balise (Non-Network Rail responsibility trackside equipment) is defective or fails.	M7	Train Operator directly affected (M##*)
d.	Where two or more consecutive trains, that utilise the same Balise, fail to recognise that Balise (where Balise is Network Rail responsibility trackside equipment)	IM	Network Rail (IQ**)

e.	Where two or more consecutive trains, that utilise the same Balise, fail to recognise that Balise (where Balise is Non-Network Rail responsibility trackside equipment)	M7	Train Operator directly affected (M##*)
f.	Where one train fails to recognise a Balise but subsequent trains, utilising the same Balise, recognise it and no fault is found with the affected train.	M9	Train Operator directly affected (M##*)

Add new G2.3 to covering Automatic Power Change Over as below: -

G2.3 **Automatic Power Change Over BALISE Systems**

G2.3.1 Many trains now have dual power capability which allows trains to operate over electrified and non-electrified lines. The switch from one power mode to another are sometimes wholly Driver operated, whilst in some locations the operation is automated and dependent on the functioning of trackside equipment known as Balise beacons. Notwithstanding any manual override opportunities, in the event of failure of either system then delay coding should be:

No.	Circumstances	Delay Code	Incident Attribution
a.	Delays associated with faults in the train borne power change over equipment	M1	Train Operator (M##*)
b.	If the Power Change Over Balise (Network Rail responsibility trackside equipment) is defective or fails.	IM	Network Rail (IQ**)

c.	If the Power Change Over Balise (Non-Network Rail responsibility trackside equipment) is defective or fails.	M1	Train Operator directly affected (M##*)
d.	Where two or more consecutive trains, that utilise the same Balise, fail to recognise that Balise (where Balise is Network Rail responsibility trackside equipment)	IM	Network Rail (IQ**)
e.	Where two or more consecutive trains, that utilise the same Balise, fail to recognise that Balise (where Balise is Non-Network Rail responsibility trackside equipment)	M1	Train Operator directly affected (M##*)
f.	Where one train fails to recognise a Balise but subsequent trains, utilising the same Balise, recognise it and no fault is found with the affected train.	M9	Train Operator directly affected (M##*)

Renumber current G2.2 to read as below: -

G2.4 Where no fault is found in any system covered within this Section G2 after investigation by both parties then refer to Section R3.

Amend current R3 intro as below (alteration in red): -

This Section is only applicable where parties have agreed that all reasonable efforts had been made to investigate the cause of delay resulting from the perceived failure of equipment in Table R3.5 (including the use of OTMR, voice recordings, and other technical data). If there is no agreement that all reasonable efforts have been undertaken this would not constitute No Fault Found. The guidance given in this section is not a substitute for a lack of investigation. Where parties have agreed that opportunity was afforded to a party through timely

advice or challenge and all reasonable efforts to investigate have been undertaken, the following principles shall apply.

Split the current R3.4.2 into separate entries for improved clarity as below (alterations in red): -

R3.4.2 Where a train fails to read a piece of infrastructure-based equipment but then reads subsequent equipment and it cannot be determined if the fault is train based or infrastructure based, it should be deemed unless otherwise proven, that the fault is with the train-based equipment.

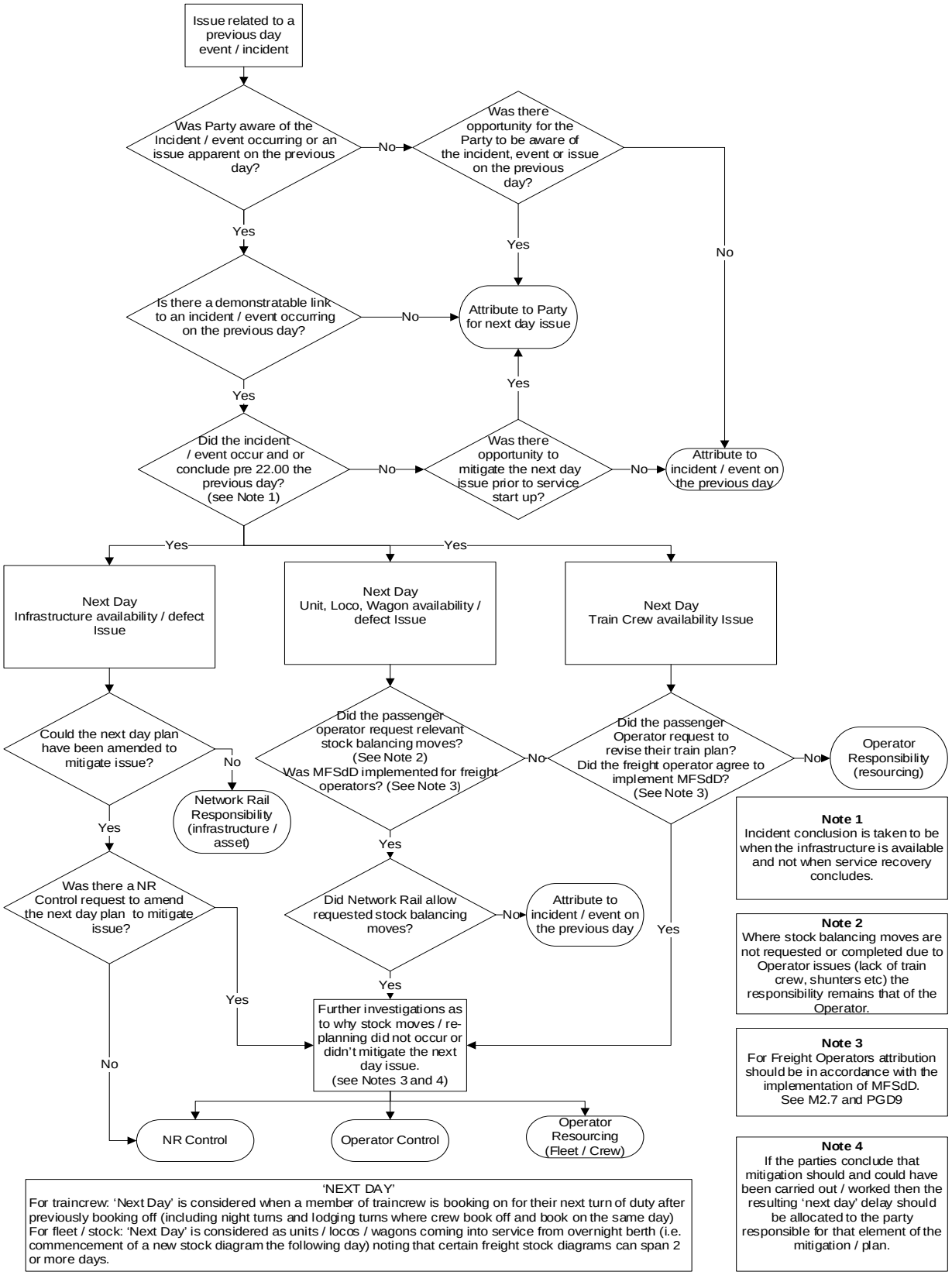
R3.4.3 Where a train fails to read a piece of infrastructure-based equipment but subsequent trains utilising the same piece of equipment in similar circumstances experience no issues, it should be deemed unless otherwise proven, that the fault is with the train-based equipment.

R3.4.4 Where two or more consecutive trains that utilise, and fail to read, the same piece of Network Rail owned and maintained infrastructure-based equipment in similar circumstances, it should be deemed that the fault is with the infrastructure-based equipment. This principle of two or more separate trains should also be applied in the same way to two separate train-based radios.

Add 'Power Change Over' to the Operator Responsibility column in table R3.5

DAB P329 – Next Day Flow Diagram
Insert new DAPR M2.8 flow diagram as set out as attached.

M2.8 The following flow diagram sets out the principles of attribution where the impact of an incident continues into the following day, whether the incident has ended or where a line remains blocked.



DAB P330 – DAPR Section N
Reformat DAPR Section N as set out below. (any amendment to current DAPR content is highlighted in red)

SECTION N: STATION OPERATING DELAYS

N1 Station delays are attributable to the Operator of the trains concerned and not to the station owner.

N2 All the following circumstances are equally applicable to Network Rail Managed Stations. Network Rail is only responsible for delays in its capacity as Infrastructure Manager, not as provider of station facilities.

N3 Certain station operating events now require different delay codes to be used in respect of particular circumstances. In respect of these, it is the responsibility of the TOC to advise Network Rail which code should be used. If no information is provided, the person attributing should select the code which best describes the incident on the basis of available information (see Section S). No expansion or amendment of Network Rail's investigative responsibilities is inferred.

N4 Passenger Related Incidents

N4.1 Likely Situations

No.	Circumstances	Delay Code	Incident Attribution
a	Non-malicious injury to passenger	VD	Operator of train involved (V##*)
b	Station overtime caused by passenger volumes boarding and alighting (no causal incident identified for increased passenger numbers - see notes at foot of table)	RB	Operator of train involved (R##*)
c	Station overtime caused by increased passenger volumes boarding and alighting due to a planned event (e.g. sports fixtures, concerts)	R7	Operator of train involved (R##*)

No.	Circumstances	Delay Code	Incident Attribution
d	Station overtime caused by increased passenger volumes boarding and alighting that is due to: That train's own late running; or Another identified prior scheduled Responsible Train which is delayed or cancelled that serves the same station or on the same line of route.	YX	Prime Incident causing the train to be late or cancelled
e	Station overtime caused by increased passenger volumes boarding and alighting due to passenger displacement from another line of route (incident determined – see notes at foot of table)	Direct Delay-to the related Causal Incident	Prime Incident causing the train to be late or cancelled
f	Station overtime caused by increased passenger volumes boarding and alighting due to passenger displacement from another line of route (incident not determined – see notes at foot of table)	RX	Operator of Train involved (R##*)
g	Overtime caused by persons with reduced mobility joining or alighting	RC/RQ as appropriate	Operator of train involved (R##*)
h	Overtime caused by loading or unloading of bicycles	RR/RS as appropriate	Operator of train involved (R##*)
i	Disorder/drunks/assaults/vagrants and serious crimes at station	VA	Train Operator - separate Incident to be created for each Operator involved (V##*)
j	Ticket irregularities	VE	Train Operator involved (V##*)
k	Police searching train (not security alert)	VG	Train Operator involved (V##*)

No.	Circumstances	Delay Code	Incident Attribution
l	Seat reservation problems	TF	Operator of train involved (T##*)

Note: In respect of circumstances 'e' and 'f' in table N2 above the identification of the Causal Incident should be concluded by consideration of the following points: -

- That the delay is the result of an incident that caused an unplanned closure of an alternative route.
- That the transfer of passengers from any off-route location in relation to the train affected is within the agreed ticket acceptance for the line of route and location that the parties have agreed in relation to the Causal Incident.
- Relevant performance data or other appropriate evidence is provided to demonstrate that the train delayed does not generally suffer overcrowding or delay at the station(s) in question.
- Where the Causal Incident is identified as being the Responsibility of another Operator the evidence must be provided to enable reattribution to be made within the relevant Contractual Timescales.
- Where the Causal Incident cannot be determined (e.g. multiple incidents created for one event or multiple events) then Delay Code RX should be utilised.

N5 Non-Station Staff Related Incidents

N5.1 Likely Situations

No.	Circumstances	Delay Code	Incident Attribution
a.	Waiting Train Crew	TG/TH/TI/YJ or YN	As per Section J2
b.	Train catering staff including trolley operators delaying train	TK	Operator of train involved (T##*)
c.	Delay due to a Shunter	RD	Operator of train involved (R##*)

N6 Passenger Connections Related Incidents

N6.1 Likely Situations

No.	Circumstances	Delay Code	Incident Attribution
a.	Waiting passenger connections within the TOC/Network Rail Connection Policy, except where the principle incident causing delay to the incoming train is a FOC owned incident.	YL	Prime incident causing train to be late at that point
b.	Waiting passenger connections within the TOC/Network Rail Connection Policy, where the prime incident causing delay to the incoming train is a FOC responsibility incident and the next departing service is scheduled to depart 60 minutes or more after the train being held	YL	Prime Incident causing incoming train to be late at that point. If the next departing service is scheduled to depart less than 60 minutes after the train being held (connecting service) then a separate incident is to be created and attributed to Network Rail (OW/OQ**)
c.	Waiting passenger connections authorised by TOC but out-with TOC/Network Rail Connection Policy	RK/TM	Operator of train being held (R##*/T##*)
d.	Waiting passenger connection - not authorised	RI	Operator of train being held (R##*)

N7 Train Dispatch Related Incidents

N7.1 Likely Situations

No.	Circumstances	Delay Code	Incident Attribution
a.	Overtime due to late TRTS being given by station staff	R2	Operator of train involved (R##*)

No.	Circumstances	Delay Code	Incident Attribution
b.	Overtime due to station staffing problems	R3	Train Operator - separate incident to be created for each affected (R##*)
c.	Waiting for authorised Special Stop Orders to be issued	RL	Operator of train involved (R##*)
d.	Waiting issue of unauthorised Special Stop Orders	RJ	Operator of train involved (R##*))
e.	Failure of /defect with CD/RA equipment	IA Except when agreed operator mitigation not implemented	Network Rail IQ**
f.	Failure of/ defect with CD/RA equipment	R1 Where agreed operator mitigation not implemented	Operator of train involved (R##*)
g	Sunlight on CD/RA equipment	XU Except where agreed operator mitigation not implemented	Network Rail XQ**
h	Sunlight on CD/RA equipment	R1 Where agreed operator mitigation not implemented	Operator of train involved (R##*)

Note: scenarios ‘e’ to ‘h’ are only applicable where the route is set prior to the CD/RA procedure and all pursuant to standard reactionary delay principles.

N8 Station infrastructure Related Incidents

N8.1 Likely Situations

No.	Circumstances	Delay Code	Incident Attribution
a.	Overtime to passenger train caused by failure of lifts or escalators	RE	Train Operator - separate Incident to be created for each directly affected (R##*)
b.	Overtime to passenger train caused by failure of customer information systems	RV	Train Operator - separate Incident to be created for each directly affected (R##*)
c.	Failure of internal power supply to station structures or systems.	RZ	Train Operator - separate Incident to be created for each directly affected (R##*)
d.	Failure of external power supply to station structures or systems that does not affect the power supply for the operation of trains.	VZ	Train Operator - separate Incident to be created for each directly affected (V##*)
e.	Fire or fire alarm at station	See Section Q8	As per Section Q8
f.	Security alert	See Section Q7	As per Section Q7

N9 Passengers Falling or Dropping Items on to the Track

N9.1 Likely Situations

No.	Circumstances	Delay Code	Incident Attribution
a.	Passenger dropped object whilst boarding/alighting from train and train delayed at TOC request	RP	Operator of train involved (R##*)
b.	Passenger dropped object whilst not in the process of boarding /alighting that is an obstruction of the line and prevents the movement of a train to/from the	JX	Network Rail (IQ**)

No.	Circumstances	Delay Code	Incident Attribution
	affected platform		
c.	Signaller prevents passage of train after request to recover item where item is not considered an obstruction of the line.	OZ	Network Rail (OQ**)
d.	Fatality or injury caused by being hit by a train at station	See Section Q3	As per Section Q3
e.	Passenger fallen between platform and train whilst boarding/alighting from that train	RY/RZ	Operator of train involved (R##*)

N10 Permissive Working and Stock Swaps

N10.1 Likely Situations

No.	Circumstances	Delay Code	Incident Attribution
a	Member of station staff has not confirmed with the Signaller after a splitting or joining procedure that the train(s) was positioned in the correct part of the platform. The second train for that platform is then held outside pending confirmation.	R3/R4/R5 as appropriate	To Operator of train for which operational procedure is not confirmed as completed
b	Platform staff have stopped a train in the wrong part of the platform and as a consequence a second train booked in the same platform is held outside.	R5	Operator of train stopped in wrong position. (Train held outside is YO as reaction)
c	Operator request via Station Control Point to swap two units on different platforms to form different services. No additional stock moves required and no Network Rail involvement.	As per Operator reason for requirement	As per Operator reason for requirement
d	The Signaller carries out an unplanned stock move in line with	As per reason	As per reason for

No.	Circumstances	Delay Code	Incident Attribution
	pre-agreed localised arrangements between Network Rail and the Operator	for requirement	requirement

Note 1: For further scenarios and allocation relating to Permissive Working at stations please refer to Process Guide Document (PGD10)

Note 2: For further scenarios and attribution relating to Stock Swaps at stations please refer to Process Guide Document (PGD16)

N11 Platform Alterations and Advice to Passengers and Staff

N11.1 Where a train is not in its booked platform and as a result causes a Reactionary Delay that would not have occurred if it were in its booked platform (subject to occurrences of any further incident causing delay), Reactionary Delay is allocated to the incident that caused the train to be in the wrong platform.

N11.2 Where a platform alteration that varies from the information shown on the CIS is made by the Signaller for no known reason, for any incurred delays resulting from passengers or industry staff getting to that train, attribution should be made to the Signaller. If the alteration is advised with sufficient time to allow mitigation then delays should be coded to the operator of the train concerned.

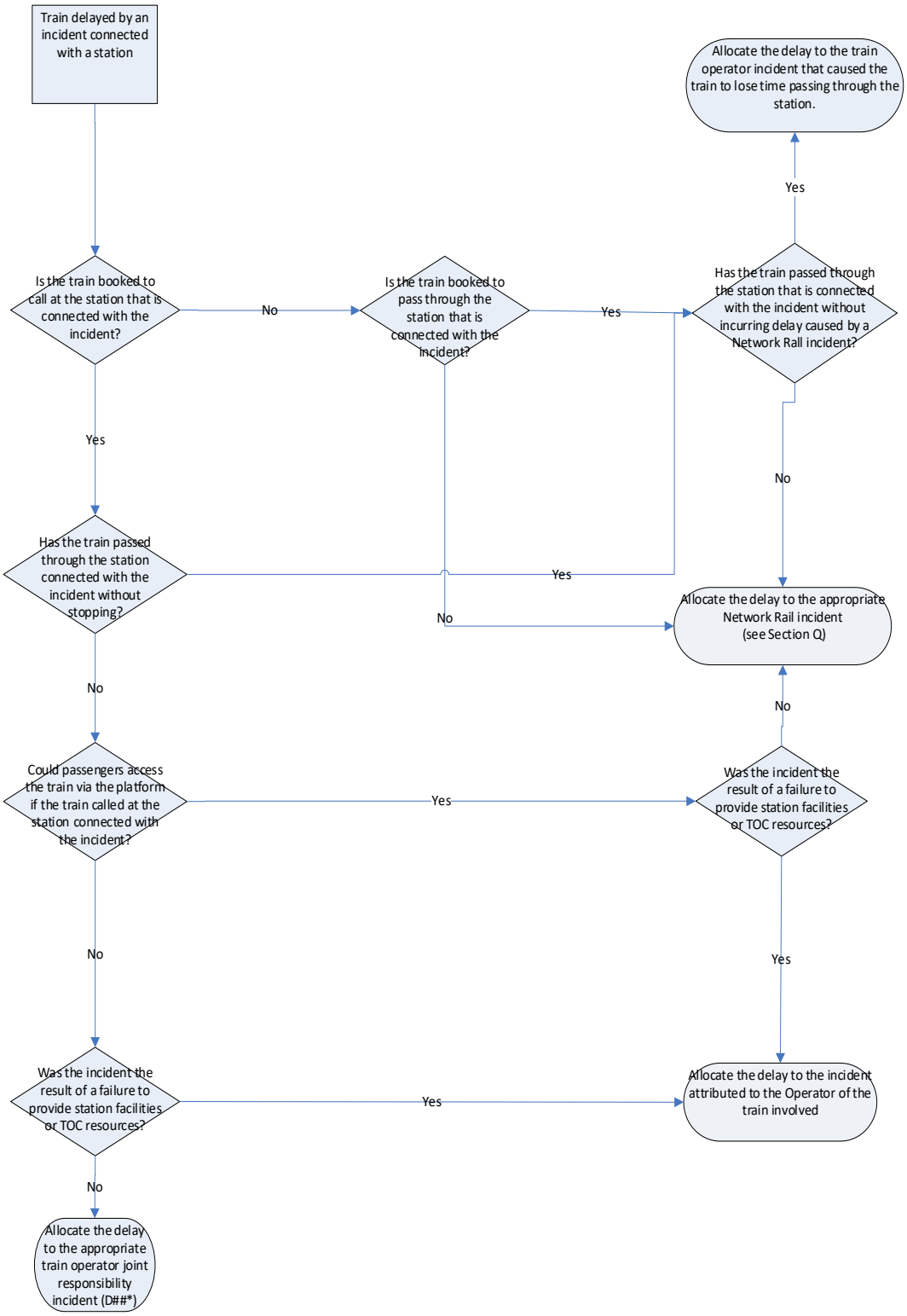
N11.3 Where a short notice, unplanned platform alteration is made by the Signaller for a given reason any resulting delays incurred from passengers or industry staff getting to that train should be attributed to the reason for that change.

N11.4 Where a short notice platform alteration is requested to, and actioned by, the Signaller any resulting delays resulting from passengers or industry staff getting to that train should be attributed to the reason for that change.

N11.5 Where a pre-planned platform alteration is requested to, and actioned by, the Signaller and where the CIS could have been updated by the relevant party (regardless of station ownership) or announcements made, any resulting delays from passengers or industry staff getting to that train should be attributed to the operator of the train thus affected.

N11.6 In ACI locations where a TD/berth has not been entered or correctly registered resulting in delays caused by passengers or industry staff getting to that train (either misdirected or not directed) attribution should be to the reason ACI was incorrect. This will be Network Rail Capacity Planning if the data is incorrect or systems if ACI fails.

N12 Guidance for the allocation of delays caused by an incident at a station.



Throughout this flowchart the term ‘station’ can also refer to the platform at which the train is booked to call.