

# Terms of Reference of ORR Consumer Expert Panel

September 2019



ORR protects the interests of rail and road users by improving the safety, value and performance of railways and roads today and in the future. ORR's railway health, safety, economic and road functions overall are driven by UK and EU legislation.

The consumer expert panel (the panel) has been established by ORR to help deliver its vision to make the rail and road industries better for current and future consumers by bringing a consumer perspective to the ORR's thinking.

## **Objective**

The panel plays a key role in ensuring ORR's policies and regulatory decisions are based on a sound understanding of consumer issues, and are proportionate and effective in delivering change.

The panel will complement existing relationships with groups such as Transport Focus and London TravelWatch, which inform ORR's consideration of consumer matters. The panel will also operate alongside ORR's developing research agenda, which is aimed at understanding consumer issues, informing ORR's policy development and business planning.

In delivering its objective the panel is advisory and will challenge and support ORR to deliver better outcomes for rail and road users through its regulatory functions.

## **The Panel's Duties**

The panel will:

- Assist ORR by contributing views, expressing opinions, examining or assessing policy or regulatory issues and advising on consumer interests or issues
- Meet four times a year, although additional meetings could be arranged to discuss specific issues.
- Be expected to read papers which will be circulated in advance of meetings.
- Consider and debate the interests of all consumer groups
- Discuss ways in which ORR can promote the interests of consumers through its regulatory role
- Be encouraged to support or develop think pieces or discussion papers on issues of interest or relevance to consumers and rail travel, in collaboration with ORR staff or others on a pro bono basis.

## **ORR's Duties**

ORR will:

- Arrange meetings and issue invitations with sufficient notice. From time to time ad-hoc meetings special events may be held, to which members would be invited.
- Provide adequate notification of issues requiring advice and provide the panel with prompt access to the information required to enable it to fulfil its duties effectively
- Carry out the role of secretariat.

## **Accountability**

ORR will keep the ORR Board informed of discussions and decisions following each meeting.

After each meeting ORR will produce and publish minutes of its meetings online and promote the panel on social media.

The panel will provide annual feedback to ORR who will then provide a report on its findings to the ORR Board.

ORR will review the panel's terms of reference, no less than every two years. ORR will consult the panel on changes to these terms, but the final decision on revision to the terms is the responsibility of ORR.

## **Membership**

The panel will comprise of Individual and Institutional members, who will be selected on their experience, or expertise in, representing or understanding consumer interests, policy or regulatory developments, consumer research or design of effective remedial actions

Individual members will be appointed in their own right and reimbursed on a 'fees for service' basis along with reasonable travel and subsistence costs. Institutional members are organisations with a special interest in rail and roads, and may send a representative to each panel. ORR will meet travel and subsistence costs in line with our travel and subsistence [policy](#), for institutional members only. All travel and subsistence claims must be supported by evidence of expenses incurred.

The quorum for meetings shall be four individual members and one institutional member. However attendance will be permissible via video link (skype) in certain circumstances, meet the minimum threshold.

From time to time ORR may wish to draw upon the expertise of individual members of the panel, to supply think pieces, critical reviews of existing ORR positions or remedies or other bespoke work. Where a panel member is able to provide individual or group contributions ORR will establish a specific contract with individuals on agreed terms. Panel members will not be obliged to undertake such work but should

give notice within 14 days of a request, and where possible cite reasons (e.g. existing commitments, conflicts of interest etc.) if unable to help.

Members will be appointed to the panel for two years, with an option for renewal. Members should give reasonable notice if they wish to withdraw from the panel. ORR may appoint or remove members at any time if it is determined that it would assist in achieving the aims of the panel. Panel members may also be removed if they have not attended more than two consecutive meetings. It is anticipated that the membership of the panel may change over time to include additional perspectives or respond to changing business needs.

The panel will be established until 02 January 2021. A decision to extend or close the panel beyond that date will be made by ORR nearer the time. A decision may be taken to disband the panel earlier if ORR determine it is not achieving its intended purpose.

### **Conflicts of interest**

The business or other interests of panel members may from time to time conflict with the role of the ORR or independence of the panel. Panel members are required to be aware of conflicts of interest and notify ORR in advance of a panel meeting where this may arise.

ORR may vary agendas or exclude a panel member from specific items as appropriate.

### **Legal**

Panel members will be asked to sign a non-disclosure agreement. By doing so the panel will be consenting to respect and preserve the confidentiality of ORR information unless and until it is made publicly available by ORR.

**[End].**