

Which?

Which?, 2 Marylebone Road, London, NW1 4DF

Date: 21st September 2012

Response by: Richard Dilks

Consultation Response

Andrew Eyles
Office of Rail Regulation
1 Kemble Street
London
WC2B 4AN

Consultation on proposals to formalise the Rail Delivery Group

Dear Mr. Eyles,

Which? is an independent, not-for-profit consumer organisation with over 700,000 members. It is the largest consumer organisation in Europe. It is independent of government and industry, and is funded through the sale of Which? consumer magazines, online services and books. Which? is a registered charity under the name Consumers' Association.

Many thanks for the deadline extension of one week. If you have any queries or would like to discuss this further please contact Richard Dilks (richard.dilks@which.co.uk, tel. 020 7770 7693). No part of this response is confidential.

The RDG has important work to do - not least in helping to deliver the substantial savings identified by the Rail Value for Money Study by Sir Roy McNulty. Passengers are told their chances of an end to above-inflation fare rises depend on these savings being realised. So it is all the more surprising and disappointing to find such an absence of engagement with passengers in the proposed RDG formalisation.

Despite multiple references to passengers and the interests of passengers in the consultation document, passengers seem to be largely absent from the proposed structures and practices of the Rail Delivery Group (RDG). For example, see paragraph 1.7¹; paragraph 2.1²; paragraph 1.6 of the impact assessment³ which nevertheless envisages no impact on consumer groups⁴.

We are not suggesting consumer representation at leadership member level of the RDG would be appropriate. But the RDG must develop methods to gather and listen to passenger views and concerns. Amongst others, the following measures could be considered:

¹ 'ORR believes...[that RDG] needs to be supported by the active and meaningful involvement of stakeholders across the industry.'

² Industry participants as being those 'with the most important and direct relationships with users...of the railway', but we do not consider engagement with these participants to be sufficient engagement with the customers for whom the network is run - passengers.

³ The desired outcome being an RDG 'developing and implementing strategies and policies for the benefit of its members and stakeholders, passengers and customers'.

⁴ Paragraph 3.6 of the impact assessment.

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- We note from the RDG's response to this consultation that Passenger Focus is in the list of customer bodies that the RDG envisages being associate members. However, Passenger Focus should not be the only body and the National Passenger Survey not the only passenger satisfaction metric used. The RDG should have mechanisms to consult passengers and demonstrate the passenger-facing improvements it is delivering;
- We note that the RDG meets regularly with the Secretary of State, Scottish Ministers, ORR and the trade unions - but seemingly not with passengers or passenger groups (unless these are included in 'other industry parties', 1.5b, p.5). Clarity is needed of whether consumer groups will be met, as the circumstances warrant it, and what the process will be for this. Which? considers that passengers' role as the customers and funders of the industry must be explicitly recognised. Passengers' views must be taken into account and their reactions to innovations understood in order to further deliver a leaner industry which has more effective cross-working and can deliver the potential running cost reductions identified by the McNulty report.
- Paragraph 2.57 mentions an AGM, annual industry forum and consultation of others - this should include passengers
- Paragraph 1.2 of the consultation, referring to the McNulty study's aims for the RDG, cites iii) (culture change) and iv) (cross-industry planning) - both of which are directly relevant to passengers. As an example, the issue of ticket machines would seem to be tailor-made for cross-industry planning, culture change, testing innovations (1.5e, iv) and stakeholder engagement (1.5h) to the benefit of both passengers and revenue. The RDG must have a practical process to engage consumers and gather views of such developments.

In addition, given the importance of the RDG's work, there should be more ways in which it will be accountable. These could include:

- Effective and non-cumbersome routes for the RDG to consult a wide range of stakeholders;
- In line with the ORR's own focus on transparency⁵, published work plans including the passenger-facing issues and improvements the RDG plans to focus on with periodic updates on the RDG's progress on those issues and improvements;
- The RDG's effectiveness should be kept under review, with regular assessments of how it is meeting its objectives and what changes would improve its functioning;
- Clear lines of accountability from the RDG, given the level of public subsidy and passenger revenue spent in this vital sector every year.

We would welcome the opportunity to discuss steps that the RDG or ORR could take to ensure a wider range of passenger engagement. Please feel free to contact me on the above details.

⁵ As shown in its currently open consultation on its approach to transparency.