



Delay Attribution Board

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

Consultation closed – 3<sup>rd</sup>/29<sup>th</sup> December 2015

Proposal reference Number:	DAB/P257	DAB/P258	DAB/P259	DAB/P260	DAB/P261	DAB/P262	DAB/P263	DAB/P264	DAB/P265	Northern/ P001	Northern/ P002	NR/P185	NR/P186	NR/P187	NR/P188	NR/P190	NR/P191	NR/P192	
<b>Company Organisation</b>																			
<b>Abellio Greater Anglia*</b>	<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"/>	<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"/>
<b>Arriva Trains Wales*</b>	<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"/>	<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"/>
c2c Rail Ltd																			
<b>Chiltern Railways*</b>	<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"/>	<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"/>
Colas Rail																			
DB Regio Tyne & Wear																			
DBSchenker																			
Devon & Cornwall Railways																			
<b>Direct Rail Services*</b>	<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"/>	<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"/>
<b>East Midland Trains*</b>	<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"/>	<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"/>
<b>Eurostar International*</b>	<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"/>	<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"/>
<b>First / Keolis Transpennine *</b>	<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"/>	<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"/>
<b>Great Western Railway*</b>	<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"/>	<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"/>
<b>First Hull Trains*</b>	<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"/>	<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"/>
<b>Freightliner HH &amp; Intermodal*</b>	<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"/>	<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"/>
GB Railfreight																			
<b>Govia Thameslink Railway *</b>	<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"/>	<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"/>
<b>Grand Central Railway*</b>	<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"/>	<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"/>
Harsco Rail																			



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Heathrow Express																			
London Midland																			
London Overground																			
Merseyrail																			
<b>MTR Crossrail</b>	<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"/>	<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"/>
North Yorkshire Moors																			
<b>Northern Rail *</b>	<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"/>	<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"/>
<b>Scotrail *</b>	<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"/>	<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"/>
<b>Southeastern Railway *</b>	<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"/>	<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"/>
Stagecoach South West																			
<b>Virgin Trains (West Coast)*</b>	<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"/>	<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"/>
<b>Virgin Trains East Coast *</b>	<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"/>	<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"/>
<b>Volker Rail</b>																			
West Coast Railway																			
<b>XC Trains*</b>	<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"/>	<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"/>
<b>Network Rail*</b>	<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"/>	<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"/>

\*Party included as part of DAMG response

## 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 <sup>o</sup>	<b>DAB/P257 Failure to Mitigate</b>
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p><b>Add new 4.1.20 section marker;-</b></p> <p><b>4.1.20 Failure To Mitigate</b></p> <p><b>Renumber current 4.1.20 to read 4.1.21</b></p> <p><b>Amend current 4.1.21 to be 4.1.22 and to read:-</b></p> <p><b>(alterations in red)</b></p> <p>4.1.22 In the case of incidents where Network Rail is held to be <b>responsible</b>, if the acts or omissions of the Train Operator were such as to prevent the mitigation of delay then the additional delays <b>should</b> be attributed <b>in accordance with 4.1.23</b>. The converse also applies to the acts or omissions of Network Rail, its staff or agents, in the case of incidents where a Train Operator is <b>to be held responsible</b>.</p> <p><b>Add new 4.1.23</b></p> <p>4.1.23 If Network Rail or Train Operator considers the other party has failed to mitigate in line with 4.1.21 and 4.1.22 above, any subsequent attribution should then be made in line with the following:-</p> <ul style="list-style-type: none"> <li>• Any perceived failings of either party during an incident shall be highlighted in real time during the incident or event to which that failure is cited.</li> <li>• Demonstration that a recovery plan was agreed / implemented and where that plan was not delivered.</li> <li>• Demonstration that regular updates / conferences were held throughout the incident with plan adjustments agreed as appropriate.</li> <li>• Identification where something could or should have been done; that wasn't (not necessarily part of any agreement)</li> <li>• The reason for the failure to mitigate was demonstrated and stated in any incident created. Referencing where time deadlines / trains / actions contravene any agreement for service recovery arrangements.</li> </ul>

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

	<ul style="list-style-type: none"> <li>• Individual trains should be highlighted if they alone fall short of the agreed contingency plans – this makes for easier checking / challenging.</li> <li>• Cognisance taken if there is more than one incident ongoing on the affected line of route / area</li> <li>• Any incident attributed as a ‘failure to mitigate’ should be coded to the party’s Operational Control code and NOT the code of the causal incident</li> </ul> <p><b>For consistency and clarity, leading into the next section add new 4.1.24:-</b></p> <p><b>4.1.24 Reactionary Principles</b></p> <p><b>Renumber 4.1.22 refer to September DAG and subsequent paragraphs to read 4.1.25 onwards</b></p>
Reason for the change	<p>DAB recently had a working session to discuss aspects of failure to mitigate and how it should / could be determined and cited by any party.</p> <p>Coming from that session, is what DAB view to be ‘considerations’ that attribution and resolution (or other Industry) personnel should refer to when attributing / disputing / resolving a failure to mitigate.</p> <p>This proposal therefore sets out those ‘considerations’ as deemed appropriate by DAB.</p> <p>The main consideration being that, any failure to mitigate should be made whilst the incident / event is ongoing to the party that is deemed to have failed in their mitigation.</p> <p>It also takes the opportunity to amend 4.1.21 where ‘fault’ was quoted when ‘responsibility’ is deemed the appropriate wording.</p> <p>Whilst amending this section, the opportunity is also being taken to add a header to show that the next section covers reactionary delay. Adding a header for consistency and clarity.</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; for clarity purposes and to make all parties consider failure to mitigate appropriately, within the attribution and resolution process. This proposal should not change ultimate attribution but reduce debate spent resolving the challenge.

**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/P257 Failure to Mitigate Company Organisation	Comments
<p>DAMG - on behalf of the identified companies as per pages 1 and 2</p>	<p>We accept the proposal based on the following caveats being address:</p> <ul style="list-style-type: none"> <li>• The requirement of a failure to mitigate challenge being presented on the day of the incident within bullet point one must be removed, replace “real time” with “<b>within industry dispute timescales</b>”</li> <li>• Bullet point four is an infinite statement so needs to be qualified. As currently written, a party could validly present a failure to mitigate against lack of diversionary capability due to the removal of track in 1960 as putting the track back could be have been done, but wasn’t. Change words to “identification where something <b>reasonable</b> could...</li> <li>• Add a new paragraph requiring a discussion to take place between Operator and Network Rail prior to the agreement of the requirement for a Failure to Mitigate incident being created with all subsequent bullets to be guidance points for consideration against a reasonableness test within the discussion.</li> </ul> <p>We note that there is still a large gap in the process where a failure to mitigate incident should be created by Network Rail onto its own Control which needs to be addressed.</p> <p>It is believed that this proposal will have a wider impact however, due to the unmeasurable nature of this proposal for change, no train operator can second guess when a Network Rail member of staff will decide this criteria is applicable and when it is not.</p> <p>There currently isn’t a commercial solution to this proposal, it is hoped, that the guidance would clarify the process but also create a wide application due to the enhanced criteria presented.</p>
<p>Network Rail</p>	<p>Accepts this proposal as submitted.</p>

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

DAB/P257 Failure to Mitigate Company Organisation	Comments
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approved this proposal, its responses were submitted after the consultation deadline.</p> <p>The proposal was accepted by Industry but with the following alterations.</p> <p>In relation to the responses from DAMG, the first point requesting wording ‘within industry dispute timescales’ in 4.1.23 first bullet was rejected by the Board on the grounds that it countered the original request / concern brought to and agreed by DAB that failure to mitigate should be cited real time rather than retrospectively.</p> <p>In relation to the second point requesting ‘reasonable’ be added the Board agreed as it would prevent the potential unreasonable claims as cited in the example although noted that the word ‘reasonable’ is still subjective in itself.</p> <p>4.1.23 forth bullet would therefore read:-</p> <ul style="list-style-type: none"> <li>• <b>Identification where something <i>reasonable</i> could or should have been done; that wasn’t (not necessarily part of any agreement)</b></li> </ul> <p>The third point raised by DAMG was accepted in principle but decided that wording alterations will be made to the opening sentence to 4.1.23 rather than adding a new bullet.</p> <p>The opening sentence of 4.1.23 will therefore read:-</p> <p><b>4.1.23 If Network Rail or Train Operator, <i>after discussion</i>, considers the other party has failed to mitigate in line with 4.1.21 and 4.1.22 above, any subsequent attribution should then be made in line with the following:-</b></p> <p>The point raised about Network Rail creating failure to mitigate against its own Control Centres was noted.</p>

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

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Appendices should be provided where necessary

Originators Reference Code / N <sup>o</sup>	<b>DAB/P258 Responsible Managers Update</b>
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p><b>Amendments to Responsible Manager / Incident Attribution Coding as follows (Codes only, not wording):-</b></p> <p>4.8.6.2 Station overruns flow chart. Change Responsible Manager Codes, as appropriate to T##*, F##*,M##*</p> <p>4.8.7.2.b Under Incident Attribution add T##*</p> <p>4.13.1.h Under Incident Attribution change (R/F##*) to read (R##*/F##*)</p> <p>4.25.5 last sentence change TG/TH** to read TG/T##* and change FP/F*** to read FP/F##*</p> <p>4.27.2.b Under Incident Attribution change T##* to V##*</p> <p>4.27.2.g Under Incident Attribution change T##* to R##* / T##*</p> <p>4.27.2.af Under Incident Attribution change R##* to IQ**</p> <p>4.27.2.aj Under Incident Attribution change R##* to XQ**</p> <p>4.28.15.f Directly after QA/QM on last line add (QQA*)</p> <p>4.37.1.k Under Incident Attribution add M##*</p> <p>4.38.4.e Under Incident Attribution add A##*</p> <p>4.39.1.e Under Incident Attribution change MR** to M##*</p> <p>4.40.4.b Under Incident Attribution change XQ#* to XQ**</p> <p>4.42.3.h Under Incident Attribution change T##* to V##*</p> <p>4.42.3.k Under Incident Attribution change to read M##* / R##* / T##* / V##*</p> <p>4.42.3.s Under Incident Attribution add A##* / F##* / M##* / R##* / T##*</p> <p>4.10.2 Add additional column entitled 'Incident Attribution' and</p>



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

	<p>add 'Train Operator (M##*)' to a thru o entries.</p> <p>4.10.3 Add additional column entitled 'Incident Attribution' and add 'Train Operator (M##*)' to a thru e entries.</p> <p>4.10.4 Change column header 'Systems' to ' Incident Attribution'</p>
Reason for the change	<p>After recent delay code changes in the DAG, there are instances where the accompanying responsible manager codes have not been altered. This proposal seeks to correct those where the delay code / responsible manager code conflict.</p> <p>There are also instances where the responsibility is not in a consistent format which also needs amending.</p>

**3. 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 – Corrections and Clarity only

**4. 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/P258 Responsible Managers Update Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepted as submitted
Network Rail	Accepted as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>The proposal was accepted as submitted.</p>

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

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Appendices should be provided where necessary

Originators Reference Code / N°	<b>DAB P259 FREIGHT STOCK PROVISION</b>														
Name of the original sponsoring organisation(s)	<b>DAB</b>														
Exact details of the change proposed	<p><b>Additional entry to new section 4.27 (see DAB P255) as follows:-</b></p> <p><b>4.27.3 PROVISION OF SPECIFIED EQUIPMENT (FREIGHT OPERATORS)</b></p> <p>4.27.4 It is the responsibility of the Freight Operator to provide suitable Specified Equipment (locomotives/vehicles) to meet the operating characteristics of the planned Train Slot (whether WTT, STP, VSTP) Delays or cancellations caused by either</p> <ul style="list-style-type: none"> <li>• the non-provision of Specified Equipment or;</li> <li>• the provision of Specified Equipment that cannot meet the operating characteristics of the planned Train Slot. For whatever reason should be allocated to a new prime cause incident. This includes circumstances where specified equipment is damaged or displaced.</li> </ul> <p>4.27.5 Exceptions:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 55%;">Circumstances</th> <th style="width: 20%;">Delay Code</th> <th style="width: 20%;">Incident Attribution</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">a</td> <td>Provision of specified equipment that cannot meet the operational characteristics of the planned Train Slot (whether WTT, STP, VSTP) due to an incident that occurs post agreement of the Train Slot for that train.</td> <td>As appropriate to incident causing change</td> <td>As appropriate to incident causing change</td> </tr> <tr> <td style="text-align: center;">b</td> <td>Operator made viable mitigation request to amend the Train Slot for that train (including the redeployment of specified equipment) which are declined by NR (e.g. no paths, conflicting possession etc.). (This clause only applies where prior viable opportunity did not exist)</td> <td>As appropriate to incident causing requirement</td> <td>As appropriate to incident causing requirement</td> </tr> </tbody> </table>			No.	Circumstances	Delay Code	Incident Attribution	a	Provision of specified equipment that cannot meet the operational characteristics of the planned Train Slot (whether WTT, STP, VSTP) due to an incident that occurs post agreement of the Train Slot for that train.	As appropriate to incident causing change	As appropriate to incident causing change	b	Operator made viable mitigation request to amend the Train Slot for that train (including the redeployment of specified equipment) which are declined by NR (e.g. no paths, conflicting possession etc.). (This clause only applies where prior viable opportunity did not exist)	As appropriate to incident causing requirement	As appropriate to incident causing requirement
No.	Circumstances	Delay Code	Incident Attribution												
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Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form A)

		c	Where an agreed mitigation plan (e.g. a revised Train Slot under MFSdD) contains conflicts, errors or omissions (see 4.26.1 / 4.26.2)	OD / Q*	Network Rail (O###* / Q###*)
		d	Where an agreed mitigation plan contains conflicts, errors or omissions in respect of resources (Specified Equipment/train crew) (see 4.24.1 and 4.27.4)	F* / M*	Operator (F###* / M###*)
	(For the purposes of this Section, “Specified Equipment” means freight railway vehicles (i.e. locomotives and wagons))				
Reason for the change	<p>This proposal should be considered in conjunction with DAB P255 (Passenger Operator Stock Provision)</p> <p>This proposal was formulated by a DAB Sub Group after DAB P255 was presented at DAB as it was suggested the Passenger and Freight Operators should have separate and distinct entries given that they have notably different operational and contractual arrangements (e.g. Freight Operators are not subject to the 22:00 ‘cut off’ that applies to Passenger Operators)</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?**

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. For clarity and reduction in time spent debating the matter.

**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)

<b>DAB P259 FREIGHT STOCK PROVISION</b> <b>Company Organisation</b>	<b>Comments</b>
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepted as submitted
Network Rail	Accepted as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>The proposal was accepted as submitted.</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 <sup>o</sup>	<b>DAB P260 Regulation Considerations</b>
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p><b>Amend 4.25.1 as below (alterations in red):-</b></p> <p>4.25.1 Where a train has been held at a regulating point for another train or, if a train is delayed following a slower running train that has been allowed to proceed, and for no other <b>given</b> reason, <b>this is against</b> the agreed Regulating Instructions for that location, the ‘Minutes Delay’ should be coded OB (or OD if this is by direction of the Route Control) and attributed to Network Rail (OQ**).</p> <p><b>Note – Regulating Instructions will vary across the network from either specific location or specific train instructions to more general guidance such as ‘for PPM’</b></p> <p><b>Amend 4.25.2 as per below (alterations in red):-</b></p> <p>4.25.2 If a train is delayed at or between successive regulating points as a result of the correct application of the Regulating Instructions and for no other <b>given</b> reason, then the appropriate Y* code is to be used for the ‘Minutes Delay’. These delays should be attributed to the principal TRUST Incident of the most late train that caused the need to regulate at that point. Should the principal TRUST Incident be some form of P* coded Speed Restriction or Possession then the delay is to be allocated to a separate Incident in accordance with section 4.33.3</p> <p><b>Add new 4.25.3:-</b></p> <p>4.25.3 Where <b>general Regulating Instructions are given to signallers (e.g. regulate for PPM) there may be occasions where the regulation is deemed appropriate at that point in time but could have greater unforeseen impact outside that signaller’s operational sphere. When reviewing such regulating decisions the reviewer should consider the following points prior to reaching their conclusion:-</b></p>

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

	<ul style="list-style-type: none"> <li>• Is the regulation carried out in line with the Regulation Instruction for that location (PPM, FPM, Right Time or overall delay) – any attribution responsibility decision should be based on the same consideration.</li> <li>• If any train(s) ultimately fails PPM, cognisance needs to be given to the distance travelled and other influences on that train post regulation.</li> <li>• Can the impact of ‘what may have happened’ if the regulation was reversed be ably demonstrated?</li> <li>• Could any subsequent events (further regulation / interactions) occurring after the regulation be realistically factored into the regulating decision?</li> <li>• Can the rationale of the decision be provided by a representative of the controlling location, demonstrating why an alternative option was not taken?</li> <li>• Would the regulation be considered appropriate if all affected trains were <b>run by</b> one Operator?</li> </ul> <p>If after due consideration the regulation is deemed to be within the Regulation Instructions for that location but the impact is considered to be greater than if the regulation decision had been reversed then the resulting ‘Minutes ‘Delay’ should be coded OA (or OD if direction of Route Control) and attributed to Network Rail (OQ**)</p> <p>If after consideration the reactionary impact to the regulation is considered to be of similar impact regardless of the decision made then the principles set out in 4.25.2 should apply.</p> <p><b>Renumber current 4.25.3 and subsequent paragraphs in section 4.25 as appropriate</b></p> <p><b>Introduce new OA delay code to Section 70</b></p> <table border="1" data-bbox="576 1751 1359 1854"> <tr> <td data-bbox="576 1751 676 1854">OA</td> <td data-bbox="676 1751 1098 1854">Regulation decision made with best endeavours</td> <td data-bbox="1098 1751 1359 1854">BEST END REG</td> </tr> </table>	OA	Regulation decision made with best endeavours	BEST END REG
OA	Regulation decision made with best endeavours	BEST END REG		
Reason for the change	<p>Regulation is possibly one of the more contentious areas in the attribution world as much of the challenge and indeed defence is made on opinion and hindsight.</p> <p>As such a significant amount of all parties’ performance team’s</p>			

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	<p>time (cross Industry and indeed within Network Rail Operations) is spent debating regulation decisions and is therefore an area raised as requiring improved guidance and a smoothed process.</p> <p>DAB have had sessions to discuss regulation including Operations personnel input covering aspects such as:-</p> <ul style="list-style-type: none"> <li>• Considerations at the point of signaller’s decision.</li> <li>• Current Ops regulation principles / statements</li> </ul> <p>Coming from those sessions comes what DAB believe to be the operational ‘considerations’ that attribution and resolution personnel should refer to when attributing / disputing / resolving a regulation to a signalling code.</p> <p>Consideration was also given to:-</p> <ul style="list-style-type: none"> <li>• How the Ops world would perceive such attribution guidance,</li> <li>• Perceived ‘pressures’ on resolution staff not to allocate to signaller and;</li> <li>• How the impact of regulation (if carried out differently) is considered / quantified</li> </ul> <p>This proposal therefore sets out the ‘considerations’ as well as proposes a new delay code for what in essence is ‘not wrong but hindsight suggests if done differently overall impact would have been less’. It would be suggested and hoped that incidents coded to this new OA code would be reviewed for performance improvement purposes feeding into local regulation reviews.</p> <p>Delay code OB remains for regulation carried out against any specific regulation statements or in cases such as a class 2 stopper preceding a class 1 express. Improved use of OB would enable local Ops staff to better manage the incidents thus coded without the distraction of ‘best endeavours’ being included.</p>
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**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 intended – For improved clarity and to make all parties consider regulation appropriately within the attribution and resolution process. This proposal is not designed to change ultimate attribution but reduce Industry debate spent resolving challenge.

**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 P260 Regulation Considerations Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepted as submitted
Network Rail	<p>Accepted subject to the following suggestions: Under 4.25.1 fourth line insert “this” before is. It makes the sentence read better.</p> <p>4.25.3 first paragraph last line replace “off” with “outside”.</p> <p>4.25.3 final bullet point insert “run by” before “one”.</p>
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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 grammatical alterations suggested by Network Rail were agreed. The alterations are shown in <b>bold red</b> in the proposal above (for ease of reference)</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 <sup>o</sup>	<b>DAB/P261 DAG Section Merges</b>
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p><b>Amendments to DAG Sections (to be applied after all other Industry Consulted and Agreed Proposals have been incorporated) as below:-</b></p> <p>Retitle SECTION 4 as ‘GUIDANCE ON RESPONSIBILITIES AND CODING OF DELAY INCIDENTS’</p> <p>-----</p> <p>Merge current sections 4.2 to 4.7 together into new 4.2 and Retitle as:-</p> <p>‘4.2 TRUST Data and Recording of Delays’</p> <p>Sections 4.2 to 4.7 renumbered to sub sections:-</p> <p>4.2.1 DUPLICATE DELAYS  4.2.2 ‘MINUTES DELAY’ NOT APPARENTLY DUE TO NETWORK RAIL  4.2.3 TRUST BERTH ERRORS  4.2.4 TRAINS INCURRING SEVERAL SMALL DELAYS  4.2.5 TRUST OUTAGES  4.2.6 THE SPECIAL TRAIN</p> <p>-----</p> <p>Merge current sections 4.8 to 4.9 together into new 4.3 and Retitle as:-</p> <p>‘4.3 Adhesion, Autumn and Railhead Treatment Incidents’</p> <p>Sections 4.8 and 4.9 renumbered to sub sections:-</p> <p>4.3.1 ADHESION PROBLEMS INCLUDING LEAF-FALL  4.3.2 RAILHEAD CONDITIONING TRAINS</p> <p>-----</p> <p>Merge current sections 4.10 to 4.15 together into new 4.4 and Retitle as:-</p> <p>‘4.4 Fleet and Infrastructure Systems Interface Incidents’</p> <p>Sections 4.10 to 4.15 renumbered to sub sections:-</p>

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- 4.4.1 FLEET EQUIPMENT PROBLEMS
- 4.4.2 FAILURE OF TASS BALISE SYSTEM
- 4.4.3 FAILURE OF ETCS/ERTMS BALISE SYSTEM
- 4.4.4 OPERATIONAL GSM-R RAILWAY EMERGENCY CALL (RECS)
  
- 4.4.5 OPERATIONAL GSM-R SYSTEMS – FAULTS OR FAILURES
- 4.4.6 ATTRIBUTION OF DELAY INCIDENTS CAUSED BY TPWS INTERVENTION OR FAILURE

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Merge current sections 4.16 to 4.19 together into new 4.5 and Retitle as:-

‘4.5 Depots, Yard and Sidings Incidents’

Sections 4.16 to 4.19 renumbered to sub sections:-

- 4.5.1 FLEET DEPOT DELAYS (INCLUDING MAJOR MAINTENANCE DEPOTS)
- 4.5.2 ACCEPTANCE INTO OFF NETWORK FREIGHT TERMINALS/YARDS
- 4.5.3 OFF-NETWORK FREIGHT TERMINAL OR YARD OR OTHER NON-NETWORK RAIL OPERATED INFRASTRUCTURE DELAYS
- 4.5.4 NETWORK YARDS AND TERMINALS

-----

Merge current sections 4.20 to 4.22 together into new 4.6 and Retitle as:-

‘4.6 Freight Operation Incidents’

Sections 4.20 to 4.22 renumbered to sub sections:-

- 4.6.1 LOADING PROBLEMS
- 4.6.2 MARSHALLING OF TRAINS INCORRECTLY
- 4.6.3 CANCELLATION OF FREIGHT SERVICES

-----

Merge current sections 4.23 to 4.24 together into new 4.7 and Retitle as:-

‘4.7 Late Starts and Crew Resourcing Incidents’

Sections 4.23 to 4.24 renumbered to sub sections:-

- 4.7.1 LATE START FROM ORIGIN
- 4.7.2 WAITING TRAIN-CREW

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Renumber current section 4.25 to new 4.8 (same title)

4.8 REGULATION AND SIGNALLING OF TRAINS

Renumber current section 4.26 to new 4.9

(If the proposed new section 4.27 in Pfc DAB/P255 and subsequent Pfc DAB /P259 are agreed renumber as 4.9.2 within this new 4.9)

4.9.1 TIMETABLE AND RESOURCE PLANNING ERRORS

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**4.9.2 STOCK PROVISION**

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Renumber proposed new 4.46 (PfC NR P190) to 4.10 OR (if NR P190 is rejected), add new section 4.10 as follows:-

**4.10 SERVICE RECOVERY AND CONTINGENCY PLANS**

Section to be developed

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Renumber current section 4.27 to new 4.11 (same title)

**4.11 STATION OPERATING DELAYS**

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Merge current sections 4.28 to 4.31 together to form new 4.12 and Retitle as:-

‘4.12 Infrastructure Incidents’

Sections 4.28 to 4.31 renumbered to sub sections:-

**4.12.1 INFRASTRUCTURE EQUIPMENT FAILURE**

**4.12.2 TEMPORARY (INCLUDING EMERGENCY) SPEED RESTRICTIONS**

**4.12.3 TRACKSIDE SIGNS INCLUDING TSR/ESR BOARD DEFECTIVE/BLOWN DOWN**

**4.12.4 WIRES DOWN AND OTHER OLE PROBLEMS**

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Merge current sections 4.32 to 4.33 together to form new 4.13 and Retitle as:-

‘4.13 Possession and Infrastructure Trains Incidents’

Sections 4.32 to 4.33 renumbered to sub sections:-

**4.13.1 ENGINEERS ON-TRACK EQUIPMENT AND ENGINEERING HAULAGE TRAIN FAILURE**

**4.13.2 PLANNED AND EMERGENCY POSSESSIONS**

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Merge current sections 4.34 to 4.41 together to form new 4.14 and Retitle as:-

‘4.14 External Impact Incidents’

Sections 4.34 to 4.41 renumbered (with slight reordering) to sub sections:-

**4.14.1 ANIMAL INCURSION, STRIKES AND INFESTATION**

**4.14.2 BRIDGE STRIKES**

**4.14.3 FATALITIES AND INJURIES**

**4.14.4 VANDALISM, THEFT AND TRESPASS**

**4.14.5 WEATHER EFFECTS**

**4.14.6 FLOODING**

**4.14.7 SECURITY ALERTS**

**4.14.8 FIRES (INCLUDING FALSE ALARMS)**

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

	<p>-----</p> <p>Merge current sections 4.42 to 4.44 together to form new 4.15 and Retitle as:-          '4.15 Safety Reporting, Investigations and No Fault Found Incidents'</p> <p>Sections 4.42 to 4.45 (including new 4.45 Holding Codes) renumbered to sub sections:-</p> <p><b>4.15.1 MISHAPS AND MAJOR SAFETY INCIDENTS</b>  <b>4.15.2 SAFETY PROBLEMS REPORTED BY STAFF OR PUBLIC</b>  <b>4.15.3 GUIDANCE WHERE NO FAULT FOUND (TECHNICAL EQUIPMENT)</b>  <b>4.15.4 HOLDING CODES PENDING INVESTIGATION</b></p> <p><b><u>ALL REFERENCES WITHIN AND TO THESE SECTIONS TO BE AMENDED APPROPRIATELY SO AS TO REFER TO EXACTLY THE SAME WRITTEN PARAGRAPHS WITH THEIR NEW NUMBERS.</u></b></p>
Reason for the change	<p>In support of the DAB Chairman's recommendation 12 and the ongoing work stream to get the DAG into a more readable document for improved referencing by the user.</p> <p>To aid that objective, stage 1 (DAB P247 Pfc) of the proposal was the reordering the DAG for the September 2015 issue. This next step is to merge like sections and add appropriate formatting and spacing between the sections so they become self-contained elements.</p> <p>This proposal also aids the future possibility of getting the DAG into a 'Rule Book' style document so that individual elements could be updated and replaced in a controlled way rather than just a full re-issue every 6 months.</p> <p>This is a merging and retitling exercise and except where amended by other Industry consulted and agreed changes the content of all sections remains the same (excepting the required realigned references)</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?**

*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 – DAG readability and referencing improvements

**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/P261 DAG Section Merges Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepted as submitted
Network Rail	<p>The proposal is supported however, would this be an appropriate time to pause renumbering; while the industry accustoms itself to the new layout of the DAG?</p> <p>Also, please consider whether:            4.6.2 be better titled "Incorrect Marshalling of trains" rather than as written?            The title of 4.7.2 does not require a hyphen            Would 4.12.2 be better titled "Temporary and Emergency Speed Restrictions"?            In 4.12.14 should "OLE" be "OHLE" to be consistent with the rest of the DAB?</p>
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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 the alterations suggested by Network Rail. The relevant sections headings will therefore read:-</p> <p><b>4.6.2 INCORRECT MARSHALLING OF TRAINS</b>  <b>4.7.2 WAITING TRAIN CREW</b>  <b>4.12.2 TEMPORARY AND EMERGENCY SPEED RESTRICTIONS</b>  <b>4.12.14 WIRES DOWN AND OTHER OHLE PROBLEMS</b></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 <sup>o</sup>	<b>DAB/P262 DAG Section 5 and 6</b>
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p><b>Remove Section 5 in its entirety</b></p> <p><b>Remove Section 6 in its entirety</b></p> <p><b>Re-number Section 7 to be Section 5 including all associated Section Headings (Section A to Z)</b></p>
Reason for the change	<p>In support of the DAB Chairman's recommendation 12 and the ongoing work stream to get the DAG into a more readable document for improved referencing by the user.</p> <p>To aid that objective, stage 1 (DAB P247 Pfc) was the reordering the DAG for the September 2015 issue. The next defined step is to merge like sections and add appropriate formatting and spacing between the sections so they become self-contained elements (see Pfc DAB 261)</p> <p>This proposal covers further review of the DAG and looks to remove Section 5 and 6 as they are more akin to 'user' guides for the TRUST system than assisting attribution of delay codes / responsibility</p> <p>In parallel with this Proposal a document covering what is currently contained in Sections 5 and 6 will be produced and further developed and added to the DAB website as a standalone document.</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?

*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 – DAG improvements 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

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

<b>DAB/P262 DAG Section 5 and 6 Company Organisation</b>	<b>Comments</b>
DAMG - on behalf of the identified companies as per pages 1 and 2	Supported as submitted
Network Rail	Supported as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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 accepted as submitted</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 <sup>o</sup>	<b>DAB/P263 TOC STOCK PROVISION</b>														
Name of the original sponsoring organisation(s)	<b>DAB</b>														
Exact details of the change proposed	<p>Add new section 4.27 as follows</p> <p><b>4.27 PROVISION OF STOCK (PASSENGER OPERATORS)</b></p> <p>4.27.1 It is the responsibility of the Train Operator to provide the diagrammed rolling stock (length / type) as per the agreed plan at 22.00 the day prior to operation.</p> <p>Delays or cancellations caused by either</p> <ul style="list-style-type: none"> <li>• the non-provision of stock or;</li> <li>• the provision of non-diagrammed stock type</li> </ul> <p>for whatever reason should be allocated to a new prime cause incident. This includes circumstances where stock is damaged or displaced.</p> <p>4.27.2 Exceptions:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 45%;">Circumstances</th> <th style="width: 20%;">Delay Code</th> <th style="width: 30%;">Incident Attribution</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">a</td> <td>Stock change or provision of different stock (length, capacity, capability) to that specified in the diagram is due to an incident that occurs post agreement of the plan of that day (22:00 - see 3.1.5) <b>or, if by agreement, between Network Rail and the Operator(s) the schedules will not be amended.</b></td> <td style="text-align: center;">As appropriate to incident causing change</td> <td style="text-align: center;">As appropriate to incident causing change</td> </tr> <tr> <td style="text-align: center;">b</td> <td>Operator made viable mitigation request (prior to 22:00) to amend the plan of day or required stock repositioning moves which is declined by NR (e.g. .no</td> <td style="text-align: center;">As appropriate to incident causing requirement</td> <td style="text-align: center;">As appropriate to incident causing requirement</td> </tr> </tbody> </table>			No.	Circumstances	Delay Code	Incident Attribution	a	Stock change or provision of different stock (length, capacity, capability) to that specified in the diagram is due to an incident that occurs post agreement of the plan of that day (22:00 - see 3.1.5) <b>or, if by agreement, between Network Rail and the Operator(s) the schedules will not be amended.</b>	As appropriate to incident causing change	As appropriate to incident causing change	b	Operator made viable mitigation request (prior to 22:00) to amend the plan of day or required stock repositioning moves which is declined by NR (e.g. .no	As appropriate to incident causing requirement	As appropriate to incident causing requirement
No.	Circumstances	Delay Code	Incident Attribution												
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b	Operator made viable mitigation request (prior to 22:00) to amend the plan of day or required stock repositioning moves which is declined by NR (e.g. .no	As appropriate to incident causing requirement	As appropriate to incident causing requirement												

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

		paths, possession). (This clause only applies where prior viable opportunity did not exist)		
	c	Where an agreed mitigation timetable plan contains conflicts, errors or omissions (see 4.26.1 / 4.26.2)	OD / QN	Network Rail (O##* / Q##*)
	d	Where an agreed mitigation resource plan (crew / stock) contains conflicts, errors or omissions (see 4.24.1 and 4.27.1)	T*	Operator (T##*)
	Renumber of subsequent sections as appropriate			
Reason for the change	<p>This Proposal is a reissue of DAB P255 previously consulted.</p> <p>Alterations made as a result of that consultation are in red (everything else is as the original proposal)</p> <p>This re-issue is a result of the previous consultation having a Commercial Impact cited by one or more parties on the proposed change.</p> <p>DAB, the sponsor, maintain that this proposal is purely for clarification and should not materially change responsibility (just assist in reducing debate)</p> <p>As per the Network Code, Parties that cited a commercial impact need to provide the DAB with:-</p> <ul style="list-style-type: none"> <li>• The particular element within the Proposal that it is believed to be materially changing the current DAG / responsibility / principles</li> <li>• How that element changing impacts your organisation</li> <li>• The size of the impact on your organisation</li> </ul> <p>This will allow DAB to review whether the proposal has indeed changed the current meaning in the DAG and for DAB (and ORR if the proposal progresses) to consider the impact cited.</p> <p>The previous rationale for the Proposal is as below:-</p> <p>Emanating out of feedback from various Industry parties involved in attribution, there are many disputes and debates surrounding stock provision impacted from incidents both on the day and the day before. Disputes are still received requesting merges to previous day's incidents, both to NR, other Operator and on self-incidents with no real guidance available on what should be appropriately linked or indeed taking cognisance of the process that should be</p>			

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

	<p>followed by the Network Rail and Operators for potential mitigation.</p> <p>This proposal was formulated by a DAB Sub Group after a rejected proposal from Network Rail (NR/P177) that did not adequately consider all aspects or exceptions clearly and the subsequent Industry comments received.</p> <p>Scenarios involving stock alterations / provision just prior to or during a unit's diagram need confirming to be related to that incident when occurring on the day (covered in exception 'a')</p> <p>Additionally scenarios involving stock alterations / provision where an Operator has been prevented the opportunity to mitigate / balance stock (due to no paths available or booked possessions etc) also needs confirming to be related to the incident the day before (in effect no opportunity to mitigate) – this is covered in exception 'b'.</p> <p>Exceptions 'c' and 'd' cover the scenarios where an agreed mitigation is put in place but doesn't work – timetabling / scheduling part of the plan would be NR responsibility, the resourcing (fleet / crew) would be Operator responsibility.</p> <p>The DAG needs to be clarified to remove any dubiety on and clarify these issues and thus improve consistency as well as the process and time spent debating this aspect.</p> <p>It is suggested to add this new section after section 4.26 Timetable and Resource Planning errors with the potential of making a whole new sub section around contingency plans / resourcing (including crew) in the future.</p>
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**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 intended or expected – For clarity and process time improvement

**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)

<b>DAB/P263 TOC STOCK PROVISION</b>  <b>Company/Organisation</b>	<b>Comments</b>
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepts the proposal however, There is an opinion that a reasonable and pragmatic approach needs to be applied to incidents at or about the 22:00 deadline; due to the statements made by access parties of only having the requirement to agree a plan, not to advertise it. This will therefore mean that the impact on the service will not always be known or up-loaded into industry systems promptly and passenger disruption/3 <sup>rd</sup> party consequences created. There are no specific amendments that could be incorporated within the change proposal.
Network Rail	Supported as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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 accepted as submitted.</p> <p>The points raised by DAMG were discussed and considered. Any instances arising should be advised to and reviewed by the Board.</p> <p>As mentioned in the consultation, this proposal was originally consulted as DAB P255 and as such should be applied to the DAG prior to P261 (renumbering) is completed.</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 <sup>o</sup>	<b>DAB / P264 Ice and OHLE Electrical Interface</b>							
Name of the original sponsoring organisation(s)	DAB							
Exact details of the change proposed	<p><b>Amend SECTION 4.31.2(e) to read:</b></p> <table border="1" data-bbox="566 622 1348 801"> <tr> <td data-bbox="566 622 726 801">e.</td> <td data-bbox="726 622 1029 801">Locomotive/EMU ADD activation due to mechanical / Fleet Engineer cause</td> <td data-bbox="1029 622 1157 801">M1</td> <td data-bbox="1157 622 1348 801">Operator of the train concerned (M##*)</td> </tr> </table> <p><b>Add footnote to 4.31.2 to read</b></p> <p>Note: For any weather related OHLE incidents please refer to section 4.40</p> <p><b>Amend 4.40.5d flowchart (as attached below)</b> (alterations / additions in red)</p> <p><b>Amend all references in the DAG of ‘OLE’ to read ‘OHLE’</b></p>				e.	Locomotive/EMU ADD activation due to mechanical / Fleet Engineer cause	M1	Operator of the train concerned (M##*)
e.	Locomotive/EMU ADD activation due to mechanical / Fleet Engineer cause	M1	Operator of the train concerned (M##*)					
Reason for the change	<p>This Proposal for Change is a re-issue of DAB P256 with an additional footnote added to the flowchart (N.B 2) after request received through the previous Consultation process.</p> <p>Otherwise the proposal remains the same as initially consulted with the original rationale below.</p> <p>Taking responses from Industry and considerations from the DAB discussions the original proposals were requested to be reworked for both accuracy and improved guidance in the area of frost / ice affecting the OHLE and the interface with trains</p> <p>Unlike previously where the proposal was around frost and ice the main elements proposed here are expanding the flowchart in 4.40.5d to cover the ‘interface’ as separate entity for clarity, and combining 3<sup>d</sup> rail and OHLE (for consistency) and clarifying where trains are used as the ‘route prover’ by agreement. It highlights how failures at interface can be demonstrated for resolution. Therefore the attribution / resolution is based on effect / result and does not hinge on what ‘substance’ was present.</p> <p>The opportunity is also being taken to have OHLE consistently shown in the DAG</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.

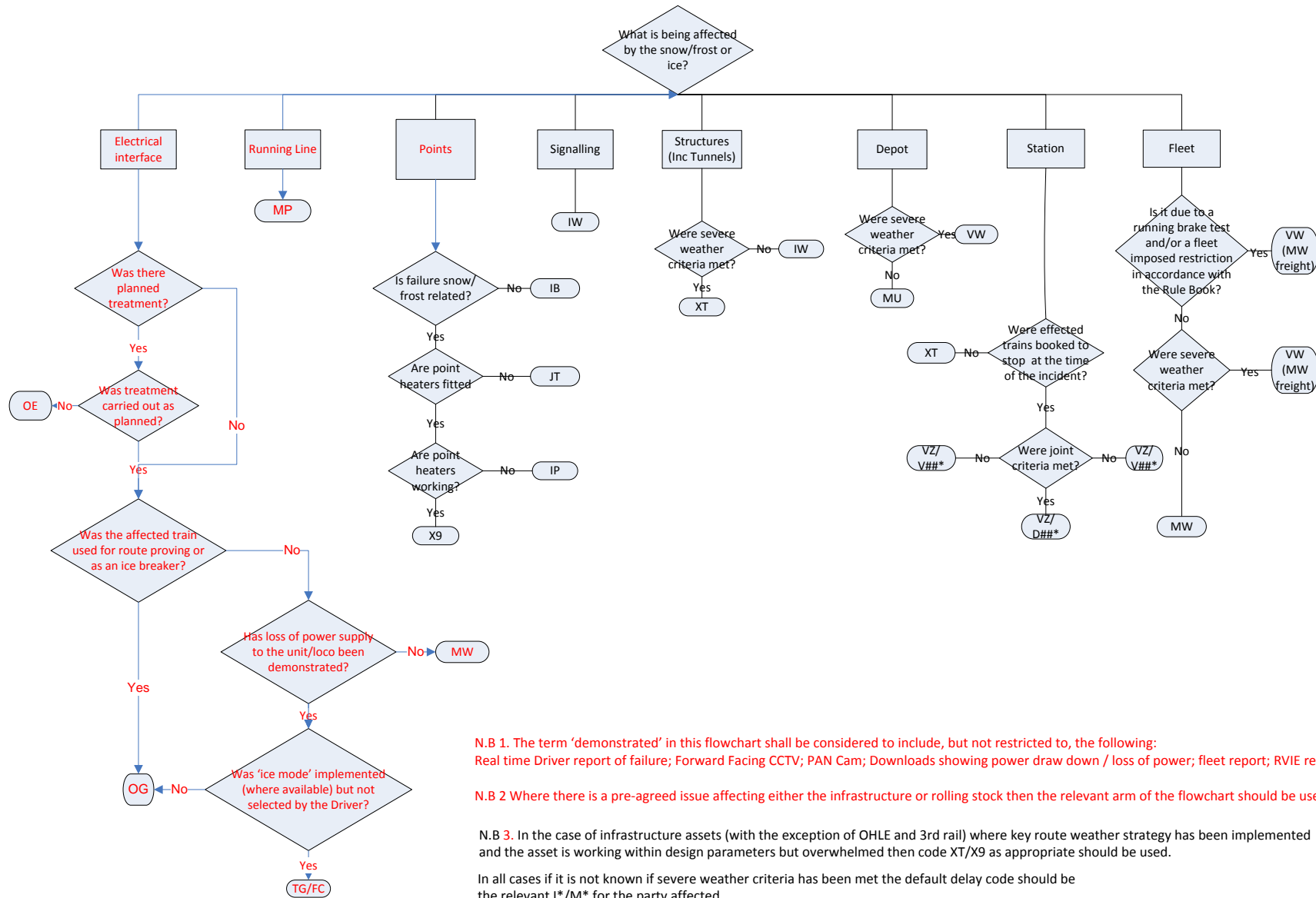
For Train Operator – Please provide an impact assessment on your own business.

No commercial impact envisaged – to improve clarity, reduce resolution 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 A)



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

DAB / P264 Ice and OHLE Electrical Interface Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Supports the proposal as submitted
Network Rail	<p>Supports the proposal as submitted subject to the following suggestions: An amendment is suggested for clarity to the bottom diamond in the flowchart as below (add 'by Control') otherwise ok.</p> <p><b>Was 'ice mode' implemented by Control (where available) but not selected by the Driver?</b></p>
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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 accepted as submitted.</p> <p>The request for alteration made by Network Rail was considered but rejected as it was felt it did not add any further clarity to what was already written. It was believed it could confuse the user as not all Route Controls make the decision to implement ice mode.</p>



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

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Appendices should be provided where necessary

Originators Reference Code / N <sup>o</sup>	<b>DAB / P265 Joint Responsibility</b>
Name of the original sponsoring organisation(s)	<b>DAB</b>
Exact details of the change proposed	<p><b>Amendments to section 4.1.3 as follows:-</b></p> <p><b>Renumber 4.1.16 to 4.1.7 and renumber all subsequent sections. Add the missing .3 too.</b></p> <p>4.1.7 In all the circumstances in this Section 4.1.3, the term station should be taken to include Network Rail Managed Stations and individual platforms at a station.</p> <p><b>Amend first paragraph (only) in (renumbered) 4.1.8 as follows (in red)</b></p> <p>4.1.8 For Joint Responsibility to be applicable for an incident at, or directly affecting a station both of the following criteria need to be met by the train incurring ‘Minutes Delay’ or cancellation:</p> <p><b>Amend (renumbered) 4.1.9 as follows (in red)</b></p> <p>4.1.9 Only when both criteria have been met can the train incurring ‘Minutes Delay’ or cancellation be attributed to an incident with a D##* Responsible Manager Code.</p> <p><b>Amend (renumbered) 4.1.10 as follows (in red)</b></p> <p>4.1.10 In all cases the closure of access to the station must be undertaken by a responsible person (e.g. station manager, emergency services, MOM) and be reasonable and justified in the circumstances (in accordance to what is known at the time of decision). The closure times and reasoning for closure should be detailed in the incident freeform text. This would not include stations closed <b>as a consequence of an incident remote from that station.</b></p> <p><b>Amend (renumbered) 4.1.15 to read:-</b></p> <p>4.1.15 Joint responsibility criteria would NOT apply in any of the following circumstances:</p> <ul style="list-style-type: none"> <li>• Where ONLY the operation of the network is affected</li> <li>• Where the source of the incident originates from or directly affects the station (see 4.1.16) but does NOT affect the network or its operation</li> <li>• Where the source of the incident originates on a train (e.g. fire on board, suspect package on board, person alighting direct to track)</li> </ul>

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

	<ul style="list-style-type: none"> <li>• Where the source of the incident originates in or on operational infrastructure equipment (signalling, OHLE or track)</li> <li>• Where the source of the incident originates from works being carried out on the operational infrastructure (signalling, OHLE or track) within the station</li> <li>• Where the station access to passengers is affected / prevented by default (e.g. station closed only due to no trains running or resulting overcrowding)</li> </ul> <p><b>Amend 4.1.17 to read:-</b></p> <p>4.1.17 Guidance for the correct allocation of delays caused by Joint Responsibility type incidents at a station is given in DAG Section 4.27.11 and also further application guidance and examples of common scenarios are covered in DAB Process and Guidance Document 7 – Joint Responsibility Application</p> <p><b>Add new 4.1.18</b></p> <p>4.1.18 Where Joint Responsibility criteria are met as set out in 4.1.8 to 4.1.10 but the cause of the incident is unknown (e.g. origin of trespass, origin of fire) then Joint Responsibility should be applied as per 4.1.11.</p> <p>-----</p> <p><b>Replace current 4.36.3; 4.37.2; 4.41.2 and..</b>  <b>Add new 4.39.3 (and remove second sentence of 4.29.2) and..</b>  <b>Add new 4.40.5 (and renumber subsequent sections)</b>  <b>All to read:-</b></p> <p>In the scenarios listed in the table above there may be occasion where both track access is denied to trains entering or passing through a station <b>and</b> the access of passengers is denied to the station (or booked platform) and to / from those trains. In these circumstances joint responsibility may be applicable so refer to 4.1.4 to 4.1.18 for further guidance.</p>
Reason for the change	<p>This Proposal for Change is a re-issue of the previously consulted DAB P254.</p> <p>Alterations made as a result of that consultation are in red (everything else is as the original proposal)</p> <p>This re-issue is a result of the previous consultation having a Commercial Impact cited by one or more parties on the proposed change.</p> <p>DAB, the sponsor, maintain that this proposal is purely for clarification and does not materially change anything that is currently stated or implied in the current DAG.</p> <p>As per the Network Code, Parties that cited a commercial impact need to provide the DAB with:-</p>

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

	<ul style="list-style-type: none"> <li>• The particular element within the Proposal that it is believed to be materially changing the current DAG / responsibility / principles</li> <li>• How that element changing impacts your organisation</li> <li>• The size of the impact on your organisation</li> </ul> <p>This will allow DAB to review whether the proposal has indeed changed the current meaning in the DAG and for DAB (and ORR if the proposal progresses) to consider the impact cited.</p> <p>The previous rationale for the change is as below:-</p> <p>As part of a DAB work stream to identify and improve areas of misinterpretation, misapplication and understanding.</p> <p>Joint responsibility criteria, although quite well set out within the DAG, has been highlighted as one of those areas for need of improved wording and guidance.</p> <p>This proposal sets out to further clarify when joint responsibility does (and doesn't) apply.</p> <p>Primarily this proposal ensures that in the relevant sections within the DAG the user is referred back to section 4.1.3 to reference the criteria for joint responsibility</p> <p>Additionally it clarifies the circumstances (in current 4.1.14) where joint responsibility shouldn't apply.</p> <p>Further alterations are for clarity – such as 'responsible person' that closes the station, that the incident should be 'at or <b>directly</b> affecting the station and reiteration that the joint responsibility needs to apply to individual trains and not the incident as a whole.</p> <p>Paragraph 4.1.16 is moved to the front end of the section to highlight what is included in the term 'station' prior to reading through the detail and then have it explained.</p>
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**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 intended – For clarity and process time improvement

**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)

<b>DAB / P265 Joint Responsibility Company Organisation</b>	<b>Comments</b>
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepts the proposal as submitted
Network Rail	Accepts the proposal as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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 accepted as submitted</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 <sup>o</sup>	<b>NORTHERN RAIL/ P001</b>		
Name of the original sponsoring organisation(s)	NORTHERN RAIL		
Exact details of the change proposed	Amend table in DAG 4.15.1		
	Amend 4.15.1(a) and add NEW 4.15.1(e) as below		
	a.	TPWS Over Speed Intervention; or Train Stop Intervention against danger aspect.	TG FC
e.	TPWS TSS Intervention against proceed aspect or indication	IJ	Network Rail (IQ**)
Reason for the change	<p>When 4.15 was written it was done so from a perspective of TPWS being a fixed state system with the only part of the “system” being capable of variability being the train borne components. With over speed activations this logic is sound; however the scenarios where a TPWS activation occurs against a green signal or for an opposite direction move on a single line, it does not.</p> <p>Where a stop signal is received by a train from the Train Stop Sensor (TSS) this should only be when the signal is at danger, at all other times the TSS loop should be de-energised, making it invisible to a passing train. RS/522 2.2.2.</p> <p>Where a TPWS stop signal is received by the train against a proceed aspect or indication, the signal must be instigated by the TSS; as in this scenario it is the only part of the system that is capable of variability.</p> <p>Currently the guidance is not clear for the scenarios shown and only offers attribution to 4.15.2 so the amendment will reduce disputes and increase clarity of guidance</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?**

*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 impact – purely for clarification

**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)

NORTHERN RAIL/ P001 Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepts the proposal as submitted
Network Rail	Accepts the proposal as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>The proposal was accepted as submitted</p>

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

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 <sup>o</sup>	<b>NORTHERN RAIL/P002</b>					
Name of the original sponsoring organisation(s)	NORTHERN RAIL on behalf of DAMG					
Exact details of the change proposed	<p>To provide additional guidance in section 3.1.5 of the Delay Attribution Guide:-</p> <p><b>3.1.6</b> If an operator's service is delayed due to overcrowding as a result of an operator's train either being cancelled, or delayed, any delay or cancellation is to be attributed to <i>the</i> prime cause of why the initial train was delayed, or cancelled. <b>This also applies to a train running late in the path of the following train.</b></p> <p>To clarify the use of the YX reactionary delay code</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 10%; padding: 5px;">YX</td> <td style="width: 60%; padding: 5px;">Passenger overcrowding caused by delay or cancellation of another train <b>or its own late running</b></td> <td style="width: 30%; padding: 5px;">OVER CRWD</td> </tr> </table>			YX	Passenger overcrowding caused by delay or cancellation of another train <b>or its own late running</b>	OVER CRWD
YX	Passenger overcrowding caused by delay or cancellation of another train <b>or its own late running</b>	OVER CRWD				
Reason for the change	<p>Due to a recent challenge by LOROL and Network Rail Anglia (Lead Route) as to the correct use of the YX code where cross-route consent on the application could not be reached.</p> <p>The issue was raised at the January Delay Attribution Board Surgery and a debate was had on the clarity of guidance given in the DAG for the use of the YX reactionary code and section 3.1.5.</p> <p>It was highlighted that the guidance in the DAG for YX and 3.1.5 partly contradicts itself as to whether it can be applied to the train itself or it has to be 'another' train which has been delayed or cancelled.</p> <p>It is felt that the intention of section 3.1.5 is to ensure the overall impact of delay to an incident is captured by the attribution process, as evidenced by 'Delay Attribution Guide Supplementary Guidance Note No.2, May 2012'; this in turn assists the Industry Performance Improvement Process activity.</p> <p>The Delay Attribution Guide needs to provide the Industry with clear guidance for the future attribution of such delay.</p> <p>If, following reasonable investigation, it can be evidenced that additional passengers are boarding late running trains (due to their own late running) these delays can be attributed by way on the YX code back to the original delay causing incident.</p>					

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

**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 only as this understanding is applied currently.

**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

NORTHERN RAIL/P002 Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepted subject to: It is noted that here is a tendency for attribution to be made to this clause but without the evidentiary chain being applied (information in the ('d' text), as such to reduce disputes and improve clarification, can this be added as a note to the code to assist?
Network Rail	Accepts proposal as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>The proposal was accepted as submitted. With reference to the request made by DAMG for a note in relation to adding 'detail' when utilising YX the Board agreed that this principle should apply to all Y codes that need an extra explanation to aid reviewing reactionary delay in an incident. Section 7 (to become section 5 in the new DAG) will be reviewed during 2016 and a suitable note will be added to the introductory note to section 5Y (currently 7Y) as part of this review.</p> <p style="color: green;">Paragraph reference 3.1.5 should now refer to 3.1.6</p>



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

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Appendices should be provided where necessary

Originators Reference Code / N <sup>o</sup>	<b>NR/P185 IBJ to IRJ</b>
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p>Change all DAG references of IBJ to IRJ</p> <p>Amend 4.28.3(b) and bullets to that shown below:-</p> <p>b) Insulated Rail Joint Failures (“IRJs” sometimes referred to as “IBJs”)</p> <ul style="list-style-type: none"> <li>• Any failure of the IRJ should be attributed as a Track Fault (coded IS), whether it causes a track circuit to fail or a track fault.</li> </ul> <p>Remove flow diagram shown underneath 4.28.3 bullets</p> <p>(4.28.3 a and c remain unchanged)</p>
Reason for the change	<p>Changing IBJ to IRJ keeps the DAG up to date with current terminology.</p> <p>Track function is responsible for maintenance of IRJs, so the failures should be attributed to a track code for correct responsibility reporting as the immediate cause of the failure.</p> <p>The IRJ failure is the immediate and direct cause of the TCF and should be recorded as such as the Prime Cause</p> <p>Due to this, some attribution / resolution is currently not in accordance with the DAG (currently the split of IRJ failures between IC and IS - 40:60% nationally)</p>

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

NR/P185 IBJ to IRJ Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepts this proposal as submitted
Network Rail	Accepts this proposal as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>The proposal was accepted as submitted</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 <sup>o</sup>	<b>NR/P186 IK coding</b>
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p><b>Amend the two references / entries of delay code JC in section 4.28.5 to delay code IK</b></p> <p><b>Amend delay code J2 in 4.28.13 to delay code IK</b></p> <p><b>Amend 4.28.7 last bullet to read:-</b></p> <ul style="list-style-type: none"> <li>• Level Crossing – telecoms cable feed to DOO CCTV (note – CCTV equipment at level crossings itself is “signalling”)</li> </ul> <p><b>Add new bullet to 4.28.7:-</b></p> <ul style="list-style-type: none"> <li>• Station platform DOO CCTV / monitors / mirrors (where NR Telecoms responsibility)</li> </ul>
Reason for the change	<p>This Proposal for Change firstly corrects an omission made as part of DAB/P047 in April 2014 where delay code JC was removed and requested to be replaced by IK</p> <p>The second element of the proposal corrects DOO monitors to delay code IK given that DOO monitors are telecoms assets and not maintenance assets. This correctly aligns the reporting and responsibility. (J2 itself cannot be re-mapped as it also cover TRTS equipment which is linked to the signalling equipment and thus maintenance responsibility)</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 but realignment of targets will be required for the J2 to IK change.

**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.**

Realignment of targets for J2 to IK related incidents involving DOO monitors, for April 2016.

NR/P186 IK coding Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepts this proposal as submitted
Network Rail	Accepts this proposal as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>The proposal was accepted as submitted</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 <sup>o</sup>	<b>NR/P187 GSM-R addition</b>						
Name of the original sponsoring organisation(s)	Network Rail						
Exact details of the change proposed	<p><b>Amend 4.13.1(c) to read</b></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 5%; padding: 5px;">c)</td> <td style="width: 60%; padding: 5px;">REC initiated by a non-Track Access Party from off <b>network</b> (Where the unit / loco aren't registered to a Track Access Party).</td> <td style="width: 10%; padding: 5px;">XZ</td> <td style="width: 25%; padding: 5px;">Network Rail (XQ**)</td> </tr> </table>			c)	REC initiated by a non-Track Access Party from off <b>network</b> (Where the unit / loco aren't registered to a Track Access Party).	XZ	Network Rail (XQ**)
c)	REC initiated by a non-Track Access Party from off <b>network</b> (Where the unit / loco aren't registered to a Track Access Party).	XZ	Network Rail (XQ**)				
Reason for the change	<p>Recent incidents have given rise to discussions being held around the scenario of RECs being initiated on units / locos being maintained off network.</p> <p>Whilst the units are not operational under a live head code, they are still the responsibility of the 'owning' access party and this proposal seeks to clarify that aspect for the avoidance of doubt.</p> <p>This amendment also supports the rationale in 4.13.1(f) and was checked with members of the DAB GSMR sub group for their understanding / views</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?**

*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 and reduction in resolution debates
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**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
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Template for Submission of Proposed Amendments to the Delay Attribution Guide or the Performance Data Accuracy Code (Form B)

NR/P187 GSM-R addition Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Accepts this proposal subject to: The creation of code XJ to accommodate as, it is believed that the use of code XZ is not appropriate
Network Rail	Accepts this proposal as submitted.
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>The proposal was accepted as proposed</p> <p>The DAMG request for a separate delay code was discussed but rejected by the Board as such events are particularly rare (believed 2 in the last year) and as such a new delay code could not be justified given the recent reduction completed for underused codes. Network Rail confirmed these instances are easily identified from incident headers. If the proposal had been rejected on these grounds the DAG would remain unaltered – i.e. less clear with XZ still cited.</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 <sup>o</sup>	<b>NR / P188 Cross Route Regulation</b>
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p><b>Add new bullet to 2.6.17 D</b></p> <ul style="list-style-type: none"> <li>Where a Signalling Centre on Route or Management Area A controls signalling / train movements on Route or Management Area B any regulation incident should be coded to a Network Rail Manager Code of Route or Management Area B but with Responsibility assigned to Route or Management Area A</li> </ul>
Reason for the change	<p>With the introduction of Rail Operations Centres (ROCs), and indeed preparatory works, there will be increased situations where train movements are managed by one Route's staff on another Route's infrastructure.</p> <p>For the purpose of attribution and appropriate reporting, the Network Rail Manager Code should still reflect the Route on which the delay occurred. However, for performance improvement purposes, the responsibility of the delay should be allocated to the party that can provide improvements for the future.</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?**

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. Potential Responsible Manager target realignment as ROCs become operational. No Route target realignment required.

**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)

<b>NR / P188 Cross Route Regulation Company Organisation</b>	<b>Comments</b>
DAMG - on behalf of the identified companies as per pages 1 and 2	This proposal is accepted as submitted
Network Rail	This proposal is accepted as submitted
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>Proposal accepted as submitted.</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 <sup>o</sup>	<b>NR/P190 Driver Diversions knowledge</b>			
Name of the original sponsoring organisation(s)	Network Rail			
Exact details of the change proposed	<b>Add new section 4.46 as below:-</b>			
	<b>4.46 Service Recovery and Contingency Plans</b>			
	<b>4.46.1 Diversions Route Knowledge</b>			
	a	Train is requested to be diverted in line with pre-agreed contingency plans but train crew do not have the required route knowledge	FH / TI	Operator of train unable to be diverted (F##* / t##*)
	b	Train is requested to be diverted over a route that is not included in pre-agreed contingency plans and crew do not have required route knowledge	As appropriate to incident causing diversion request	As appropriate to incident causing diversion request
Reason for the change	<p>This issue was originally raised and progressed through the Network Rail RPMMG forum and deemed worthy of clarifying in line with failure to mitigate discussions after being highlighted from the Ops fraternity.</p> <p>The overarching principle being highlighted that if an Operator signs up to a pre-agreed contingency plan, when that plan is requested it should be possible to implement it.</p> <p>It is suggested to initiate a new section of the DAG under the auspices of 'Service Recovery and Contingency Plans' of which this will, if supported, be the first entry.</p> <p>Further entries will appropriate current entries from other sections of the DAG that better fit this category.</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.*

Potential (not easily quantifiable) commercial impact depending on current practices.

**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 until any impact identified

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

NR/P190 Driver Diversionary knowledge Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	<p>Accepts the proposal subject to the proposer of the proposal being able to demonstrate how they will fund increased costs required for maintenance of required levels of diversionary route knowledge, make sufficient rain paths available to accomplish this and fund recruitment of additional staffing levels required.</p> <p>We are not in a position to provide the commercial solution as request that the proposer provide the financial assessment.</p>
Volker Rail	<p>If the contingency plan is properly risk=assessed, discussed, agreed, communicated and recorded, with financial consideration made for the additional costs :</p> <p>When this occurs in practice, the impact can vary:</p> <ol style="list-style-type: none"> <li>1. In some occasions the use of a driver with route knowledge for the original route and a pre-agreed contingency plan creates no real problem, as the diversionary route is short, local and regularly used.</li> <li>2. In other situations, no suitable and available driver of our machines may have both diversionary route knowledge and original route knowledge, so a second driver or external route conductor would have to be added to the crew. Such a contingency plan will add cost (c£1k/shift) and require adequate notice to resource, but if these elements were agreed and included as part of the order, then our chances of failure will be as low as on a normal shift.</li> </ol> <p>The proposal seems reasonable.</p>
Network Rail	Accepts this proposal as submitted.

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

NR/P190 Driver Diversionary knowledge Company Organisation	Comments
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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>It is to be noted that although Network Rail approve this proposal, its responses were submitted after the consultation deadline.</p> <p>Proposal accepted as submitted.</p> <p>The concern raised by DAMG was discussed and considered at length by the Board but ultimately rejected on the grounds that the principle of signing up to a contingency plan should mean that that plan can be delivered. If a plan cannot be delivered then it would not be advisable to sign up to it. Examples of current contingency plans with relevant caveats included in them were discussed to aid the decision.</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 <sup>o</sup>	<b>NR / P191 TSR &amp; ESR attribution</b>
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p><b>Replace current DAG section 4.29 with the following;-</b></p> <p><b>4.29 TEMPORARY (INCLUDING EMERGENCY) SPEED RESTRICTIONS</b></p> <p>4.29.1 On publication of the Weekly Operating Notice relevant information must be made available to the Route Performance and Control organisations to enable them to ascertain the following requirements for the purpose <b>of</b> setting up of a TSR Network Delay Incidents within TRUST DA:-</p> <ul style="list-style-type: none"> <li>• The correct coding of the incident</li> <li>• The Responsible Manager Code</li> <li>• The expected maximum time loss for each class of train</li> </ul> <p>The Capacity Planning Managers' and Route Asset Managers' organisations must ensure that a suitable system is in place for such information to be available.</p> <p>Conditions whereby the incident could be considered as 'Planned' can be found in 4.29.4.</p> <p>4.29.2 Emergency Speed Restrictions should follow the same principles for information as provided in 4.29.1. However, in addition, any additional delays caused awaiting the erection of speed boards should also be taken into account when determining the initial delay impact and attributed accordingly. The Incident created must then be subsequently amended to incorporate the Networking (see 4.29.3) of expected train delay once the boards have been erected.</p> <p>4.29.3 For situations covered in both 4.29.1 and 4.29.2 a Network Delay shall be initiated <b>except</b> where the class of trains or running lines cannot be distinguished (e.g. 4 track railway where all classes of train run on all lines to a sufficient degree that applying network delays would lead to material misallocation of delay).</p> <p>Where a specific class of train will be affected and runs solely (or almost entirely) on one line then the Network Delay shall be utilised.</p> <p>Network Delay shall be initiated for all delays expected of 1 minute and above. Where Network Delay cannot be initiated, an appropriate incident should be</p>

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

created and where practicable and cost effective the appropriate delay should be attributed to the relevant incidents. However the relevant time loss shall be allocated where that delay is part of an **an above** threshold delay required to be explained.

4.29.4 Likely situations:

No.	Circumstances	Delay Code	Incident Attribution
a.	Planned TSR in connection with maintenance, renewal or other work covered by sufficient time allowed for temporary speed restrictions and other engineering work (box time) in the working timetable (in the same Engineering Section)	PA	Not the responsibility of any industry party (PQ**)
b.	Planned TSR for maintenance, renewals or other work not covered by sufficient time allowed for temporary speed restrictions and other engineering work (box time) in the working timetable	JA	Network Rail (IQ**)
c.	Where a TSR has been imposed due to possession work not being completed (or more restrictive than that planned)	JG	Network Rail (IQ**)
d.	Condition of Track TSR within the Engineering Access Statement (EAS)	PB	Not the responsibility of any industry party (PQ**)
e.	Condition of Track TSR not within the Engineering Access Statement (EAS)	JS	Network Rail (IQ**)
f.	Condition of Track TSR not within the Engineering Access Statement (EAS) due to the agreed renewal date being exceeded	JS	Network Rail (IQ**)
g.	Condition of Bridge TSR within the Engineering Access Statement (EAS)	PB	Not the responsibility of any industry party (PQ**)
h.	Condition of Bridge TSR not within the Engineering Access Statement (EAS)	JD	Network Rail (IQ**)
i.	Condition of Earthworks TSR within the Engineering Access Statement (EAS) NOT due to inadequate drainage maintenance	PB	Not the responsibility of any industry party (PQ**)

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

	<table border="1"> <tr> <td data-bbox="549 199 619 383">j.</td> <td data-bbox="619 199 1062 383">Condition of Earthworks TSR not within the Engineering Access Statement (EAS) due to works not carried out or completed by Network Rail</td> <td data-bbox="1062 199 1246 383">IV</td> <td data-bbox="1246 199 1498 383">Network Rail (IQ**)</td> </tr> <tr> <td data-bbox="549 383 619 528">k.</td> <td data-bbox="619 383 1062 528">Emergency Speed Restriction due to infrastructure related problem</td> <td data-bbox="1062 383 1246 528">I*/J* Code reflecting reason for restriction</td> <td data-bbox="1246 383 1498 528">As appropriate to asset responsibility</td> </tr> <tr> <td data-bbox="549 528 619 781">l.</td> <td data-bbox="619 528 1062 781">Emergency Speed Restriction following a derailment or other mishap</td> <td data-bbox="1062 528 1246 781">I*/J* Code reflecting reason for restriction (not the cause of the derailment)</td> <td data-bbox="1246 528 1498 781">As appropriate to asset responsibility</td> </tr> <tr> <td data-bbox="549 781 619 889">m.</td> <td data-bbox="619 781 1062 889">Temporary or Emergency speed restriction imposed as a result of rolling contact fatigue.</td> <td data-bbox="1062 781 1246 889">JS</td> <td data-bbox="1246 781 1498 889">Network Rail (IQ**)</td> </tr> </table> <p><b>Note:</b> The term <b>w</b> within the Engineering Access Statement (EAS) used above should be interpreted to mean that there is sufficient engineering allowance in the schedule that is:-</p> <ul style="list-style-type: none"> <li>• Previously unused</li> <li>• In the same Engineering Section as the restriction / delay</li> </ul> <p>And, In the case of Condition of Track/Earthworks/Structures:-</p> <ul style="list-style-type: none"> <li>• The reason for the speed restriction is declared in the Engineering Access Statement (EAS) and the Timetable Planning Rules.</li> </ul>	j.	Condition of Earthworks TSR not within the Engineering Access Statement (EAS) due to works not carried out or completed by Network Rail	IV	Network Rail (IQ**)	k.	Emergency Speed Restriction due to infrastructure related problem	I*/J* Code reflecting reason for restriction	As appropriate to asset responsibility	l.	Emergency Speed Restriction following a derailment or other mishap	I*/J* Code reflecting reason for restriction (not the cause of the derailment)	As appropriate to asset responsibility	m.	Temporary or Emergency speed restriction imposed as a result of rolling contact fatigue.	JS	Network Rail (IQ**)
j.	Condition of Earthworks TSR not within the Engineering Access Statement (EAS) due to works not carried out or completed by Network Rail	IV	Network Rail (IQ**)														
k.	Emergency Speed Restriction due to infrastructure related problem	I*/J* Code reflecting reason for restriction	As appropriate to asset responsibility														
l.	Emergency Speed Restriction following a derailment or other mishap	I*/J* Code reflecting reason for restriction (not the cause of the derailment)	As appropriate to asset responsibility														
m.	Temporary or Emergency speed restriction imposed as a result of rolling contact fatigue.	JS	Network Rail (IQ**)														
Reason for the change	<p><i>Building on increased focus on TSR and ESR impact on performance in an area of known inconsistency</i></p> <p><i>This Proposal looks to better cover and clarify the requirements of attribution to TSRs and ESRs to correctly capture the relevant impact those restrictions are having on Performance.</i></p> <p><i>This proposal should drive improved consistency of attribution and capture of associated delays</i></p> <p><i>It sets out that the Network Delay facility should be utilised, where practicable, to capture those delays for a more accurate record of impact. This will also assist in reducing workload at both Level 1 and Level 2 attribution.</i></p> <p><i>4.29.1 is a revision / expansion of the current 4.29.1</i>  <i>4.29.2 is a revision of the current 4.29.2 to show current / appropriate practice</i>  <i>4.29.3 is a new paragraph setting out stipulations for Networking delays</i>  <i>4.29.4 is the current 4.29.3 with minor amendments to clarify / correct elements</i>  <i>The 'Note' has also been expanded for clarity</i></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 intended or expected. For Clarity and Consistency

- 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 / P191 TSR & ESR attribution Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Supports this proposal as submitted
Network Rail	<p>Supports this proposal subject to the following suggestions:</p> <p>4.29.1 in the third line insert the word “of” after purpose</p> <p>4.29.1 On the first line below the bullet points in both instances “Managers” should be “Managers’</p> <p>4.29.3 In the second line “excepting” should be “except”.</p> <p>4.29.3 in the first line of the second paragraph delete the word “only” as it is not required to maintain the sense of the sentence.</p> <p>4.29.3 in the last line of the third paragraph insert “above” before threshold.</p> <p>4.29.4 in the Notes section first line “Within” should be “within”.</p>
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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 with the alterations suggested by Network made – shown in <b>bold red</b> in the proposal above.</p>

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Appendices should be provided where necessary

Originators Reference Code / N <sup>o</sup>	<b>NR/P192 No fault found / proven</b>																								
Name of the original sponsoring organisation(s)	<b>Network Rail</b>																								
Exact details of the change proposed	<p><b>Re-align / reword delay code J4</b></p> <p><b>Introduce new Delay Code J5</b></p> <p><b>Amend Section 7J – Further Infrastructure Causes as below:-</b></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <tr> <td style="width: 10%; text-align: center; padding: 5px;">J4</td> <td style="padding: 5px;">Infrastructure Safety Issue Reported by Member of Public – No Fault Found</td> <td style="width: 10%; text-align: center; padding: 5px;">MOP NFF</td> </tr> <tr> <td style="text-align: center; padding: 5px;">J5</td> <td style="padding: 5px;">Infrastructure Fault Report Proven to be <b>mistaken</b></td> <td style="text-align: center; padding: 5px;"><b>MISTAKE</b> REP</td> </tr> </table> <p><b>Amend 4.43.2(f and m) and add new 4.43.2(n and p):-</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center; padding: 5px;">f.</td> <td style="padding: 5px;">No fault can be found or no cause is apparent for any reported signalling anomaly or change of aspect. (For report proven to be <b>mistaken</b> see ‘o’ below)</td> <td style="width: 15%; text-align: center; padding: 5px;">IA</td> <td style="width: 75%; padding: 5px;">Network Rail (IQ**)</td> </tr> <tr> <td style="text-align: center; padding: 5px;">m.</td> <td style="padding: 5px;">Network Rail <b>is</b> unable to find the infrastructure related safety problem – No Fault Found (<b>when reported by Industry staff / contractors</b>)</td> <td style="text-align: center; padding: 5px;">As appropriate to reported asset</td> <td style="padding: 5px;">Network Rail (IQ**)</td> </tr> <tr> <td style="text-align: center; padding: 5px;">n.</td> <td style="padding: 5px;"><b>Network Rail is unable to find the infrastructure related safety problem (when reported by a member of the public)</b></td> <td style="text-align: center; padding: 5px;"><b>J4</b></td> <td style="padding: 5px;"><b>Network Rail (IQ**)</b></td> </tr> <tr> <td style="text-align: center; padding: 5px;">o.</td> <td style="padding: 5px;"><b>Network Rail is able to</b></td> <td style="text-align: center; padding: 5px;"><b>J5</b></td> <td style="padding: 5px;"><b>Network</b></td> </tr> </table>			J4	Infrastructure Safety Issue Reported by Member of Public – No Fault Found	MOP NFF	J5	Infrastructure Fault Report Proven to be <b>mistaken</b>	<b>MISTAKE</b> REP	f.	No fault can be found or no cause is apparent for any reported signalling anomaly or change of aspect. (For report proven to be <b>mistaken</b> see ‘o’ below)	IA	Network Rail (IQ**)	m.	Network Rail <b>is</b> unable to find the infrastructure related safety problem – No Fault Found ( <b>when reported by Industry staff / contractors</b> )	As appropriate to reported asset	Network Rail (IQ**)	n.	<b>Network Rail is unable to find the infrastructure related safety problem (when reported by a member of the public)</b>	<b>J4</b>	<b>Network Rail (IQ**)</b>	o.	<b>Network Rail is able to</b>	<b>J5</b>	<b>Network</b>
J4	Infrastructure Safety Issue Reported by Member of Public – No Fault Found	MOP NFF																							
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n.	<b>Network Rail is unable to find the infrastructure related safety problem (when reported by a member of the public)</b>	<b>J4</b>	<b>Network Rail (IQ**)</b>																						
o.	<b>Network Rail is able to</b>	<b>J5</b>	<b>Network</b>																						

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

	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"></td> <td style="width: 40%; color: red;">                     categorically prove (via FFCCTV or the like) that the infrastructure related safety report is <b>mistaken</b> (NOT No Fault Found – see m)                 </td> <td style="width: 30%;"></td> <td style="width: 10%; color: red; text-align: center;">                     Rail (IQ**)                 </td> </tr> </table> <p><b>All other entries in 4.43.4 remain unaltered</b></p>		categorically prove (via FFCCTV or the like) that the infrastructure related safety report is <b>mistaken</b> (NOT No Fault Found – see m)		Rail (IQ**)
	categorically prove (via FFCCTV or the like) that the infrastructure related safety report is <b>mistaken</b> (NOT No Fault Found – see m)		Rail (IQ**)		
<p><b>Reason for the change</b></p>	<p>To replace withdrawn proposal NR P183</p> <p>As part of the ongoing review of delay codes and internal NR review of maintenance code usage, J4 has been identified as being mis-applied by nature of its definition and contradiction within the DAG (given reported faults where no fault is found should be coded to what is reported against)</p> <p>However, an appropriate and valued use of J4 is where safety reports are received from a member of the public, such as against level crossings.</p> <p>However, it is also proposed to introduce a new code J5 for Safety issues reported against assets but <b>proven</b> to be false utilising equipment such as FFCCTV. There is a significant difference between an asset fault not being found (NFF) and being able to categorically prove there is no fault.</p> <p>This will not only distinguish those reports made by Industry staff and those made by the public, but also clarity of responsibility being to the reported asset when no fault found or to a new separate code where no fault can be proven)</p> <p>Appropriately the codes still remain the responsibility of maintenance.</p> <p>This proposal supplements and further clarifies and supports changes made to sections 4.43 and 4.44 in September 2015,</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?**

*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. Further clarity. Improved reporting and ownership.  
 Minor reporting realignment required in Network Rail (J4 and J5) and to CRI targets

**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)

Company Organisation	Comments
DAMG - on behalf of the identified companies as per pages 1 and 2	Supports this proposal as stated
Network Rail	<p>Supports this proposal subject to the following:</p> <p>In the definition of J5 the word “false” should be replaced by “mistaken”. In f. and o. the word “false” should be replaced by “mistaken”</p> <p>False implies purpose where mistaken does not. The Board is not intending to suggest false reports are made only mistaken ones.</p>
DAB DECISION	<p>The Board when reaching its decision at the 19<sup>th</sup> January 2016, 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 accepted with agreement to amend the proposal as suggested by Network Rail – alterations made to the proposal in <b>bold red</b> above.</p>