



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

Date: 20th July 2015

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

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

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

ACCEPTED PROPOSALS FOR CHANGE

DAB/P244 – INCIDENTS CAUSED BY ERRONEOUS DOCUMENTATION

DAB/P245 – AMEND 2.5.4 – INSERT AS THE NEED ARISES

DAB/P246 – ATTRIBUTION OF REACTIONARY DELAYS - CLARIFICATION

DAB/P247- DAG SECTION 4 RE-ORGANISATION

DAB/P248 – AMEND 4.38.2G TO REPLACE OI

NR/P179 – STATION PLATFORMS DEFINITION

NR/P180 –FIRES IN OFF NETWORK RAIL FACILITIES

REJECTED PROPOSALS FOR CHANGE

EC/P003 – ADD ACTIVATIONS DUE TO ICE OR FROST ON THE OLE

NR/P177 – NEXT DAY STOCK PROVISION

- The details for each proposal consist of the following information:
- The Proposal for Change from the sponsor.
- A list of the industry responses to the Proposals for Change.
- The DAB decision and consideration of the responses from the industry.

The proposals for amendment to the Delay Attribution Guide were put out to Industry Parties for formal consultation in accordance with Track Access Condition B2.5.2. The deadline for Industry responses was 15th June and the 10th July. A number of Industry Parties responded to the consultation process and these responses are included in this submission.

All decisions made by the Board have been unanimous. A copy of the minutes of the meetings where the proposed amendments were agreed is available should you require it.

I await your advice on whether you approve the amendment proposed. Finally, in accordance with Track Access Condition B2.7.1, the Board has agreed that any changes approved by the Regulator should come into effect **14th September 2015**

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

Proposal reference Number:	DAB/P244	DAB/P245	DAB/P246	EC/P003	NR/P177	NR/P179	NR/P180
Company Organisation							
Abellio Greater Anglia	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Arriva Trains Wales							
c2c Rail Ltd							
Chiltern Railways							
Colas Rail							
DB Regio Tyne & Wear							
DBSchenker							
Devon & Cornwall Railways							
Direct Rail Services *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
East Midland Trains	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Eurostar International							
First / Keolis Transpennine							
First Greater Western *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
First Hull Trains							
Freightliner	<input checked="" type="checkbox"/>	<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							
Govia Thameslink Railway *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Grand Central Railway	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Harsco Rail							
Heathrow Express							
London Midland							
London Overground							
Merseyrail							
North Yorkshire Moors							
Northern Rail *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scotrail *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Southeastern Railway *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Southern							
Stagecoach South West							
Virgin Trains (West Coast)*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Virgin Trains East Coast *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
West Coast Railway							
XC Trains							
Network Rail	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

DAB/P244

Originators Reference Code / N ^o	DAB/P244 – Incidents caused by erroneous documentation
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p>Amend Note (only) under section 4.31.2 to read as below:- Note: If the delay cause is due to the Operator’s documentation not corresponding with the uploaded schedule(s) and</p> <ul style="list-style-type: none"> • Provided that Network Rail’s response to the relevant access request by that operator was made within the timescales laid down in Part D of the Network Code and • Provided that no error(s) has been introduced to the uploaded schedule(s) then: <p>Code FH for freight operators and TA for passenger operators should be used.</p> <p>(4.31.2 itself and table below the Note unaffected)</p>
Reason for the change	<p>In association with a previous Pfc, NRP163 (Day 2 Train Plan), it was agreed by DAB members, following consultation feedback, to review and amend the note under 4.31.2 as it was not clear and slightly contradictory to the principle in 4.31.2 itself.</p> <p>In essence if there is an error in the uploaded trainplan / schedule in the system and the Operator documentation does not correspond with that uploaded error, the note in 4.31.2 would suggest that the Operator is responsible for the delay due to their documentation rather than the schedule error uploaded into the system.</p> <p>Note re-written and bulleted for ease of reading.</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 purposes.

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

DAB/P244

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1.	<p>This proposal is accepted as further clarity has been introduced. However, it is suggested that the following be included to close out the concern.</p> <p>“If the delay cause is confirmed as due to the Operator’s”</p> <p>Therefore a requirement to demonstrate responsibility of the train operator rather than state the variation between TRUST and train operator documentation is required.</p>
Network Rail	Accepts the change as proposed.
Virgin East Coast	Accepts the change as proposed.
DAB DECISION	<p>Amend Note (only) under section 4.31.2 to read as below:-</p> <p>Note: If the delay cause is confirmed as due to the Operator’s documentation not corresponding with the uploaded schedule(s) and</p> <ul style="list-style-type: none"> • Provided that Network Rail’s response to the relevant access request by that operator was made within the timescales laid down in Part D of the Network Code and • Provided that no error(s) has been introduced to the uploaded schedule(s) then: <p>Code FH for freight operators and TA for passenger operators should be used.</p> <p>(4.31.2 itself and table below the Note unaffected)</p>

Originators Reference Code / N ^o	DAB/P245 – amend 2.5.4 – insert as the need arises and suitable guidance for sub thresh hold.
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p>Amend the word ‘sometimes’ in the third sentence in DAG 2.5.4 to ‘as the need arises’ and add relevant circumstances so as to read:-</p> <p>2.5.4 Any ‘Minutes Delay’ that cannot be explained by a Network Delay are then directed to a particular point (normally a Network Rail Control or signal box) for explanation, subject to any minimum threshold that may have been set. Delays below this threshold are excluded from the explanation and attribution process and are known as ‘Derived Delays’ or sub threshold delays. However, as the need arises these will be explained and attributed to provide additional information for performance management purposes but will not feature in Performance Regime calculations. As a minimum this should include where the below threshold delay is the prime delay or required to complete a chain of reactionary delay. As part of a system based communication process to reduce the level of telephone calls, these initial ‘Delay Requests’ for a particular station could be sent to a Train Operator’s representative for initial explanation although Network Rail would still be responsible for attribution.</p>
Reason for the change	<p>As part of a new Industry forum, the Freight Attribution Delivery Group (made up of Network Rail and Freight Performance reps) it was highlighted that the word ‘sometimes’ in this paragraph could give the view that it is ‘optional’ to attribute sub threshold delay minutes into incidents or not. As such some incidents are created with the sub threshold prime delay or sub threshold reactionary chain omitted. The words ‘as the need arises’ intends to provide a more positive feel in terms of if sub threshold delay is needed to be recorded for data completeness, then it should form part of the Incident.</p> <p>With sub threshold attribution coming more to the fore the change is considered appropriate for clarity and appropriateness.</p> <p>It is also deemed appropriate to highlight that subthresh-hold should be attributed where that delay is the prime delay for the incident or is required to complete a chain of reactionary delay.DAB Secretariat (also FADG Chair) agreed to progress this proposal for change on behalf of FADG members in line with the ongoing DAG improvement and clarity work stream.</p>



Delay Attribution Board

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

Consultation closed – 15th June 2015

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 (delays would currently not be attributed at all) proposal required for improved clarity and consistency.

Could have reporting implications for any Operators that report to DfT on 'all' delay if it is not covered by a separate commercial arrangement to exclude them.

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

DAB/P245

Company Organisation	Comments
<p>DAMG - on behalf of the identified companies as per page 1.</p>	<p>We accept the proposal as improved clarity has been introduced but suggest that the sentence “As a minimum this should include where the below threshold delay is the prime delay or required to complete a chain of reactionary delay” to “As a minimum this shall include where the below threshold delay is the prime delay or required to complete a chain of reactionary delay.”</p> <p>With the change in the definition of a delay minute, the changes in national reporting to only those delays of three minutes or greater, and that the subthreshold delays are non-contractual, making the change to shall ensures that Network Rail and Operators are consistent in their attribution policy for sub-threshold delays and their sub-threshold allocations, therefore improving the ability of the Industry to manage sub-threshold delay which is the intent of this change.</p> <p>Will there be a wider impact on the business? There are processes outside of Schedule 8 for the neutralisation of any non-commercial contracts or reporting.</p>
<p>Network Rail</p>	<p>Approves this proposal</p>
<p>Virgin East Coast</p>	<p>Approves this proposal Virgin Train East Coast is very much behind this proposal, and would strengthen the wording to specify a definition of ‘chains’ as being two or more trains so that an incident resulting in a single sub-threshold (a/t) delay with an above threshold (a/t) reactionary delay would have to include both trains.</p>
<p>DAB DECISION</p>	<p>The Board when reaching its decision at the 14th July 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 supported the suggestion made by the DAMG. They however considered VTEC’s suggestion and dismissed it as it was considered that the word ‘chain’ was self-explanatory.</p> <p>The approved proposal should read as follows:</p> <p>Amend the word ‘sometimes’ in the third sentence in DAG 2.5.4 to ‘as the need arises’ and add relevant circumstances so as to read:-</p> <p>2.5.4 Any ‘Minutes Delay’ that cannot be explained by a Network Delay are then directed to a particular point (normally a Network Rail Control or signal box) for explanation, subject to any minimum threshold that may have been set. Delays below this threshold are excluded from the explanation and attribution</p>

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

Consultation closed – 15th June 2015

	<p>process and are known as ‘Derived Delays’ or sub threshold delays. However, as the need arises these will be explained and attributed to provide additional information for performance management purposes but will not feature in Performance Regime calculations. As a minimum this shall include where the below threshold delay is the prime delay or required to complete a chain of reactionary delay. As part of a system based communication process to reduce the level of telephone calls, these initial ‘Delay Requests’ for a particular station could be sent to a Train Operator’s representative for initial explanation although Network Rail would still be responsible for attribution.</p>
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DAB/P246

Originators Reference Code / N ^o	DAB/P246 –Attribution of reactionary delay - Clarification																																																																																																																													
Name of the original sponsoring organisation(s)	DAB																																																																																																																													
Exact details of the change proposed	<p>Move Reactionary Delay Example currently under section 4.1.23 to be under 4.1.22 and title ‘Reactionary Example 1’</p> <p>Delete current 4.1.26 and replace with new 4.1.26</p> <p>4.1.26 Notwithstanding lost time / lateness that has been recovered from previously incurred delays, Y* coded delays in a reactionary chain should be split if the working to which it relates has 2 (or more) incidents with delay minutes of the same value attributed to it.</p> <p style="text-align: center;">Reactionary Example 2</p> <p>Train running for 2E40 Note: In this example there is no recovered time or any sub thresh hold delay</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Booked Arrive</th> <th>Booked Depart</th> <th>Actual Arrive</th> <th>Actual Depart</th> <th>Time Loss</th> <th>Cause</th> </tr> </thead> <tbody> <tr> <td>Paignton</td> <td></td> <td>10.33</td> <td></td> <td>10.33</td> <td></td> <td></td> </tr> <tr> <td>Torquay</td> <td>10.37</td> <td>10.38</td> <td>10.37</td> <td>10.41</td> <td>3' delay</td> <td>INCIDENT A</td> </tr> <tr> <td>Newton Abbot</td> <td>10.49</td> <td>10.51</td> <td>10.52</td> <td>10.54</td> <td></td> <td></td> </tr> <tr> <td>Teignmouth</td> <td>10.57</td> <td>10.58</td> <td>11.00</td> <td>11.04</td> <td>3' delay</td> <td>INCIDENT B</td> </tr> <tr> <td>Dawlish</td> <td>11.02</td> <td>11.03</td> <td>11.08</td> <td>11.09</td> <td></td> <td></td> </tr> <tr> <td>Exeter St Davids</td> <td>11.27</td> <td></td> <td>11.33</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>2E40 arrives Exeter St Davids 6 late and the unit forms 2E42 which leaves 6 late</p> <p>Reactionary chain of delay from 2E42 onwards is as follows:-</p> <table> <tbody> <tr> <td>2E42</td> <td>6'</td> <td>YI</td> <td>2E40</td> </tr> <tr> <td>2R55</td> <td>4'</td> <td>YD</td> <td>2E42</td> </tr> <tr> <td>1G90</td> <td>3'</td> <td>YD</td> <td>2R55</td> </tr> <tr> <td>2H48</td> <td>4'</td> <td>YB</td> <td>1G90</td> </tr> <tr> <td>1B37</td> <td>3'</td> <td>YD</td> <td>2H48</td> </tr> </tbody> </table> <p>Attribution in this scenario should therefore be:-</p> <table border="1"> <thead> <tr> <th colspan="4">INCIDENT A</th> <th colspan="4">INCIDENT B</th> </tr> </thead> <tbody> <tr> <td>2E40</td> <td>3'</td> <td></td> <td></td> <td>2E40</td> <td>3'</td> <td></td> <td></td> </tr> <tr> <td>2E42</td> <td>3'</td> <td>YI</td> <td>2E40</td> <td>2E42</td> <td>3'</td> <td>YI</td> <td>2E40</td> </tr> <tr> <td>2R55</td> <td>2'</td> <td>YD</td> <td>2E42</td> <td>2R55</td> <td>2'</td> <td>YD</td> <td>2E42</td> </tr> <tr> <td>1G90</td> <td>2'</td> <td>YD</td> <td>2R55</td> <td>1G90</td> <td>1'</td> <td>YD</td> <td>2R55</td> </tr> <tr> <td>2H48</td> <td>2'</td> <td>YB</td> <td>1G90</td> <td>2H48</td> <td>2'</td> <td>YB</td> <td>1G90</td> </tr> <tr> <td>1B37</td> <td>1'</td> <td>YD</td> <td>2H48</td> <td>1B37</td> <td>2'</td> <td>YD</td> <td>2H48</td> </tr> </tbody> </table> <p>Each delayed train in the reactionary chain is split equally between Incidents A and B, The odd (3 minute)delays to 1G90 and 1B37 are split alternately between Incident A and Incident B</p>	Location	Booked Arrive	Booked Depart	Actual Arrive	Actual Depart	Time Loss	Cause	Paignton		10.33		10.33			Torquay	10.37	10.38	10.37	10.41	3' delay	INCIDENT A	Newton Abbot	10.49	10.51	10.52	10.54			Teignmouth	10.57	10.58	11.00	11.04	3' delay	INCIDENT B	Dawlish	11.02	11.03	11.08	11.09			Exeter St Davids	11.27		11.33				2E42	6'	YI	2E40	2R55	4'	YD	2E42	1G90	3'	YD	2R55	2H48	4'	YB	1G90	1B37	3'	YD	2H48	INCIDENT A				INCIDENT B				2E40	3'			2E40	3'			2E42	3'	YI	2E40	2E42	3'	YI	2E40	2R55	2'	YD	2E42	2R55	2'	YD	2E42	1G90	2'	YD	2R55	1G90	1'	YD	2R55	2H48	2'	YB	1G90	2H48	2'	YB	1G90	1B37	1'	YD	2H48	1B37	2'	YD	2H48
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Reason for the change	<p>As well as the DAG providing guidance on the attribution of delay codes to certain circumstances, part of the DAG’s purpose is to guide the correct attribution of reactionary delay.</p> <p>This proposal is the first part of an ongoing work stream looking at the various factions of reactionary delay. The first element being splitting reactionary to equal impacting delay incidents.</p> <p>It is hoped that this guidance will bring consistency to the process and also help explain the rationale / methodology / principles behind reactionary delay attribution thus improving the day 1 accuracy, and reducing disputes / discussion that can follow.</p> <p>Additionally, moving the example already in the DAG under 4.1.23 to be under 4.1.22 is to put it in the right context as it demonstrates ‘greater delay’ principles (described in 4.1.22) rather than accumulative sub threshold delay (described in 4.1.23)</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 guidance. Improvement in attribution accuracy and resolution process time.

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

N/A

DAB/P246

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1.	Approves this proposal
Network Rail	Approves this proposal
Virgin East Coast	Approves this proposal Virgin Train East Coast also propose the addition or restoration of the guidance relating to what to do with a single 3 minute reactionary delay to be split between equal primary delays – the 2 minutes to go to the most recent incident.
DAB DECISION	The Board when reaching its decision at the 14 th July 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. The Board considered the comments rose by VTEC and agreed that the matter raised was being dealt with separately.

NR/P179

Originators Reference Code / N ^o	NR/P179 – Station platforms definition
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	Add wording in sections 4.1.16 4.1.16 In all the circumstances in this Section 4.1, the term station should be taken to include Network Rail Managed Stations and individual platforms at a station
Reason for the change	Entry required in the joint responsibility section explanation to reinforce / highlight the note in flowchart 4.28.6 that a platform being closed to passenger access is deemed the same as a station being closed to passenger access with the same attribution principles applying. This proposal has been progressed through the Network Rail Route Performance Measurement Manager’s Group emanating from specific incidents that have been debated over the last 6 months The note is a significant point in terms of station attribution and is somewhat hidden in just one flowchart when it applies to many scenarios.

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, ease of reference in DAG

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

NR/P179

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1.	We accept this proposal
Network Rail	Network Rail accepts the proposal
Virgin East Coast	VTEC accepts the proposal
DAB DECISION	The Board when reaching its decision at the 14 th July 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.

Originators Reference Code / N ^o	NR/P180 – Fires in off network rail facilities
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p>Additional entry under section 4.11</p> <p>4.11.7 For the scenarios above involving fires originating in an off network yard, terminal or depot, any delays caused directly to trains on the network due to the effects of the fire (cautioning or stopping traffic due to smoke, proximity of the fire itself) should be attributed to a separate XL coded incident. This would not include trains delayed waiting entry to the off network location.</p> <p>Renumber remainder of 4.11 as appropriate:- Renumber flowchart 4.11.7 to 4.11.8 Renumber note 4.11.7.1 to 4.11.8.1 Additional note to fire flowchart (current) 4.11.7</p> <p>4.11.8.2 For any resulting attribution scenarios pertaining to fires originating in an off network yard, terminal or depot, it should be noted that any delays caused directly to trains on the network due to the effects of the fire (smoke, proximity of the fire itself) should be attributed to a separate XL coded incident.</p>
Reason for the change	<p>In circumstances such as fires off network, there can be two incidents for the same occurrence depending on the effect of that occurrence. Where the network is affected by an off network fire any direct delays on the network that would not have occurred ordinarily are deemed to be due to the restriction on the network regardless of origin / location of that cause.</p> <p>This proposal has been progressed through the Network Rail Route Performance Measurement Manager’s Group emanating from specific incidents that have been debated over the last 6 months</p> <p>This proposal gives consistency within the DAG and clarity of such scenarios often debated nationally Given the complexity of the flow diagram already, adding extra decision boxes was not deemed appropriate.</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.

Clarity Only – Reduction in time spent on process

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

NR/P180

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1.	Add the word siding to improve clarity, “For any resulting attribution scenarios pertaining to fires originating in an off network yard, terminal or depot,” to “For any resulting attribution scenarios pertaining to fires originating in an off network yard, siding, terminal or depot”
Network Rail	We accept this proposal
Virgin East Coast	We accept this proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th July 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. The Board supported the suggestion made by the DAMG.</p> <p>The approved proposal should read as follows: Additional entry under section 4.11 4.11.7 For the scenarios above involving fires originating in an off network yard, terminal or depot, any delays caused directly to trains on the network due to the effects of the fire (cautioning or stopping traffic due to smoke, proximity of the fire itself) should be attributed to a separate XL coded incident. This would not include trains delayed waiting entry to the off network location. Renummer remainder of 4.11 as appropriate:- Renummer flowchart 4.11.7 to 4.11.8 Renummer note 4.11.7.1 to 4.11.8.1 Additional note to fire flowchart (current) 4.11.7 4.11.8.2 For any resulting attribution scenarios pertaining to fires originating in an off network yard, siding, terminal or depot, it should be noted that any delays caused directly to trains on the network due to the effects of the fire (smoke, proximity of the fire itself) should be attributed to a separate XL coded incident.</p>

Proposal reference Number:	DAB/P247	DAB/P248
Company Organisation		
Abellio Greater Anglia	<input checked="" type="checkbox"/>	
Arriva Trains Wales		
c2c Rail Ltd		
Chiltern Railways		
Colas Rail		
DB Regio Tyne & Wear		
DBSchenker		
Devon & Cornwall Railways		
Direct Rail Services *	<input checked="" type="checkbox"/>	
East Midland Trains	<input checked="" type="checkbox"/>	
Eurostar International		
First / Keolis Transpennine		
First Greater Western *	<input checked="" type="checkbox"/>	
First Hull Trains		
Freightliner	<input checked="" type="checkbox"/>	
GB Railfreight		
Govia Thameslink Railway *	<input checked="" type="checkbox"/>	
Grand Central Railway	<input checked="" type="checkbox"/>	
Harsco Rail		
Heathrow Express		
London Midland		
London Overground		
Merseyrail		
North Yorkshire Moors		
Northern Rail *	<input checked="" type="checkbox"/>	
Scotrail *	<input checked="" type="checkbox"/>	
Southeastern Railway *	<input checked="" type="checkbox"/>	
Southern		
Stagecoach South West		
Virgin Trains (West Coast)*	<input checked="" type="checkbox"/>	
Virgin Trains East Coast *	<input checked="" type="checkbox"/>	
West Coast Railway		
XC Trains		
Network Rail	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

DAB/P247

Originators Reference Code / N ^o	DAB/P247
Name of the original sponsoring organisation(s)	DAB
Exact details of the change proposed	<p>To re-order Section 4 of the DAG as follows:-</p> <p>Renumber 4.7 To 4.2 DUPLICATE DELAYS</p> <p>Renumber 4.21 To 4.3 'MINUTES DELAY' NOT APPARENTLY DUE TO NETWORK RAIL</p> <p>Renumber 4.22 To 4.4 TRUST BERTH ERRORS</p> <p>Renumber 4.33 To 4.5 TRAINS INCURRING SEVERAL SMALL DELAYS</p> <p>Renumber 4.34 To 4.6 TRUST OUTAGES</p> <p>Renumber 4.30 To 4.7 THE SPECIAL TRAIN</p> <p>Renumber 4.3 To 4.8 ADHESION PROBLEMS INCLUDING LEAF-FALL</p> <p>Renumber 4.26 To 4.9 RAILHEAD CONDITIONING TRAINS</p> <p>Renumber 4.12 To 4.10 FLEET EQUIPMENT PROBLEMS</p> <p>Renumber 4.39 To 4.11 FAILURE OF TASS BALISE SYSTEM.</p> <p>Renumber 4.40 To 4.12 FAILURE OF ETCS/ERTMS BALISE SYSTEM</p> <p>Renumber 4.41 To 4.13 OPERATIONAL GSM-R RAILWAY EMERGENCY CALL (RECS)</p> <p>Renumber 4.42 To 4.14 OPERATIONAL GSM-R SYSTEMS – FAULTS OR FAILURES</p> <p>Renumber 4.43 To 4.15 ATTRIBUTION OF DELAY INCIDENTS CAUSED BY TPWS INTERVENTION OR FAILURE</p> <p>Renumber 4.13 To 4.16 FLEET DEPOT DELAYS (INCLUDING MAJOR MAINTENANCE DEPOTS)</p> <p>Renumber 4.2 To 4.17 ACCEPTANCE INTO OFF NETWORK</p>

FREIGHT TERMINALS/YARDS				
Renumber	4.15	To	4.18	OFF - NETWORK FREIGHT TERMINAL OR YARD OR OTHER NON-NETWORK RAIL OPERATED INFRA DELAYS
Renumber	4.44	To	4.19	NETWORK YARDS AND TERMINALS
Renumber	4.18	To	4.20	LOADING PROBLEMS
Renumber	4.19	To	4.21	MARSHALLING OF TRAIN INCORRECT
Renumber	4.6	To	4.22	CANCELLATION OF FREIGHT SERVICES
Renumber	4.17	To	4.23	LATE START FROM ORIGIN
Renumber	4.36	To	4.24	WAITING TRAINCREW
Renumber	4.23	To	4.25	REGULATION AND SIGNALLING OF TRAINS
Renumber	4.31	To	4.26	TIMETABLE AND RESOURCE PLANNING ERRORS
Renumber	4.28	To	4.27	STATION OPERATING DELAYS
Renumber	4.16	To	4.28	INFRASTRUCTURE EQUIPMENT FAILURE
Renumber	4.29	To	4.29	TEMPORARY (INCLUDING EMERGENCY SPEED RESTRICTIONS)
Renumber	4.32	To	4.30	TRACKSIDE SIGNS INCLUDING TSR/ESR BOARD DEFECTIVE/BLOWN DOWN
Renumber	4.38	To	4.31	WIRES DOWN AND OTHER OLE PROBLEMS
Renumber	4.9	To	4.32	ENGINEERS ON-TRACK EQUIPMENT AND ENGINEERING HAULAGE TRAIN FAILURE
Renumber	4.8	To	4.33	PLANNED AND EMERGENCY POSSESSIONS
Renumber	4.4	To	4.34	ANIMAL INCURSION, STRIKES AND

	<p style="text-align: center;">INFESTATION</p> <p>Renumber 4.5 To 4.35 BRIDGE STRIKES</p> <p>Renumber 4.10 To 4.36 FATALITIES AND INJURIES</p> <p>Renumber 4.11 To 4.37 FIRES (INCLUDING FALSE ALARMS)</p> <p>Renumber 4.14 To 4.38 FLOODING</p> <p>Renumber 4.35 To 4.39 VANDALISM, THEFT AND TRESPASS</p> <p>Renumber 4.37 To 4.40 WEATHER EFFECTS</p> <p>Renumber 4.27 To 4.41 SECURITY ALERTS</p> <p>Renumber 4.20 To 4.42 MISHAPS AND MAJOR SAFETY INCIDENTS</p> <p>Renumber 4.24 To 4.43 SAFETY PROBLEMS REPORTED BY STAFF OR PUBLIC</p> <p>Renumber 4.25 To 4.44 GUIDANCE WHERE NO FAULT FOUND (TECHNICAL EQUIPMENT)</p> <p><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></p>
<p>Reason for the change</p>	<p>As part of the DAB Chairman’s Recommendations and further review work by DAB members it was agreed that over time the DAG has seen many sections amended and added and now it is not considered a logical layout or user friendly.</p> <p>Therefore to improve the layout, readability and usability it was agreed to develop a work stream to improve those aspects.</p> <p>The reordering set out in this Proposal for Change is the first of three elements for improvement</p> <p>This proposal sees ‘like’ sections grouped together in the DAG and will be in the order as outlined in the proposal</p> <p>Further proposals will see those ‘like’ sections merged to form larger, more encompassing sections and then ultimately the DAG will be formulated into a Rule Book style where just those larger sections could be amended and reissued as required.</p>

	<p>Additionally throughout this work stream further tidying up of layout, flowcharts and consistent formatting will take place.</p> <p>Consideration was given to doing the full refresh in one go but the amount of coordination, reworking and checking required, along with all the other consulted changes, was considered to carry too much risk of error and could detract from the work stream benefits</p> <p>This is purely a re-ordering exercise and except where amended by other Industry consulted and agreed changes the headers and content of all sections remains the same (excepting the required realigned references)</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. For clarity purposes.

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



**PROPOSALS FOR CHANGE TO THE
 DELAY ATTRIBUTION GUIDE
April 2015 Edition
INDUSTRY FEEDBACK
 Consultation closed – 10th July 2015**

DAB/P247

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1.	This proposal is accepted as further clarity has been introduced.
Network Rail	Accepts the change as proposed.
Virgin East Coast	Accepts the change as proposed.
DAB DECISION	The Board when reaching its decision at the 14 th July 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.

DAB/P248

Originators Reference Code / N ^o	DAB/P248		
Name of the original sponsoring organisation(s)	DAB		
Exact details of the change proposed	Amend 4.38.2g to replace OI:-		
	g.	Incident subject to formal inquiry	FU / TU
Reason for the change	<p>Following on from the Proposal for Change to remove delay code OI from the DAG (PFC NR/P168) it has been identified that an erroneous entry for OI still exists in the DAG</p> <p>This proposal looks to address the oversight in the original Proposal for Change, following the same logic that was provided in that Proposal.</p> <p>FU and TU are the prescribed delay codes pending Formal Inquiry incidents and OI within this entry was deemed to be incorrect use of OI as originally stipulated in 4.20.1</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 – original OI and proposed TU / FU are intermediate holding codes and do not reflect final resolution (which should remain consistent)

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



**PROPOSALS FOR CHANGE TO THE
 DELAY ATTRIBUTION GUIDE
April 2015 Edition
INDUSTRY FEEDBACK
 Consultation closed – 10th July 2015**

NR/P248

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1.	We accept this proposal
Network Rail	Network Rail accepts the proposal
Virgin East Coast	VTEC accepts the proposal
DAB DECISION	The Board when reaching its decision at the 14 th July 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.

Rejected proposals for change

Originators Reference Code / N ^o	EC/P003 "ADD Activations due to Ice or Frost on the OLE"			
Name of the original sponsoring organisation(s)	Jim Pepper, Delay Attribution Manager East Coast Mainline Company Ltd.			
Exact details of the change proposed	1 (of 5) Amend SECTION 4.38.2(e) "WIRES DOWN AND OTHER OLE PROBLEMS" to read:-			
	No.	Circumstances	Delay Code	Incident Attribution
	e.	<i>Locomotive/EMU ADD activation due to mechanical / Fleet Engineer cause</i>	M1	Operator of the train concerned (M##*)
	2 (of 5) SECTION 4.37 "WEATHER EFFECTS" Amend 4.37.4(g) to read:- <i>"Ice or Frost on the conductor rail or OLE regardless of weather severity (unless due to the failure of the de-icing train)"</i>			
	3 (of 5) SECTION 4.37 "WEATHER EFFECTS" Amend 4.37.4(h) to read:- <i>"Ice or Frost on the conductor rail or OLE due to failure to run the de-icing train"</i>			
	4 (of 5) Flowchart, 4.37.5d Amend all references of "ice" to read " <i>frost or ice</i> " Amend the words "'NR Track/conductor rails (or 3 rd party supply)/points/OHLE" to read:- "NR Track/conductor rails (or 3 rd party supply)/points/OHLE*" and add the following wording to the existing footnote:- " <i>*Including ADD activations due to frost or ice</i> ".			
	5 (of 5) Amend bottom left section of Flowchart, 4.37.5d "Delay code guidance for dealing with the impact of snow, ice or frost" (OLE branch) to:-			

	<pre> graph TD D1{Has the treatment train run as booked OR has the first train (acting as 'ice breaker') preceded the affected train (i.e. not first train of day)} OE([OE]) D2{Has frost/ice been confirmed on the OLE?} MW([MW]) OG([OG]) D1 -- No --> OE D1 -- Yes --> D2 D2 -- No --> MW D2 -- Yes --> OG </pre>
<p>Reason for the change</p>	<p><i>This Proposal for Change is a requested reworking of EC/P001 that was consulted with Industry and considered at the DAB of 14th April.</i></p> <p><i>Taking responses from Industry and considerations from the DAB discussions the original proposal was requested to be reworked for both accuracy and improved guidance in the area of frost / ice affecting the OLE</i></p> <p><i>As previously the main elements are expanding 'ice' to 'frost / ice' and for this proposal making an additional entry to the flowchart in 4.37.5d to cover the 'first train' scenario which is where most of the delay incidents are occurring.</i></p> <p><i>It also now takes into consideration that delay code M2 was removed and mapped to M1 from April 2015</i></p>



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

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

If yes;

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

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

Clarity / Reduction in Process Time

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

N/A

EC/P003

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1.	<p>We accept the proposal</p> <p>However: Due to the interpretation of specific words in DAG, as frost is defined as ‘a deposit of small white ice crystals formed on the ground or other surfaces when the temperature falls below freezing’. Removing the word frost would recue disputes and improve clarity. We do not believe this proposal constitutes a change to the proposal as the two words ‘ice’ and ‘frost’ are simply repetitions.</p>
Network Rail	<p>While Network Rail is sympathetic to the problems and uncertainty in this area of attribution, NR cannot see how the proposed changes would assist attribution.</p> <p>Network Rail contends that the delay code “OG” is specifically for ICE on the conductor rail / OLE. The proposal is suggesting using the delay code OG for something we do not believe it is appropriate for.</p> <p>Whilst it is understood that rolling stock can be affected by ice on the OLE, NR believes that the trains should be able to cope with frosty conditions which are common in the UK. Furthermore, it is extremely difficult to determine definitively that there is “frost” on the OLE whereas ice can be identified more easily.</p> <p>The proposal as it stands would cause uncertainty when trying to confirm whether frost is or was present at the time the train passed over the line. Therefore NR contends that the proposal does not assist with the attribution or resolution of incidents. As such the probability is that the parties will end up in dispute as they will not be able to agree whether “frost” was the cause of the delay. If the operator stance is frost then Network Rail cannot see what circumstances would warrant the coding of incidents to MW.</p> <p>There is also potential confusion regarding what constitutes the “first train of the day” e.g. on the WCML where trains run through the night as a general rule; which is the first train?</p> <p>On this basis Network Rail cannot support this proposal but is happy to work with the proposer to see if a more helpful proposal can be put forward to the industry.</p>
Virgin East Coast	<p>Accepts this proposal. Please also note the additional information:</p>

Company Organisation	Comments
	<p>Network Rail report – Technical Investigation Report, Tripping 165 Section, 20 January 2014 Fault Number 519829” Cowan (2014) regarding pantograph damage suffered by locos 9114 & 91132 in frosty conditions in 2014.</p> <p>The weather conditions at the time were such that ice formation on the underside of the contact wire was almost certain. This would have resulted in poor current collection by the pantograph with continual arcing between the pantograph head carbons and the contact wire. The damage caused by the heat produced by this would have led to an ADD operation. Comparable damage to pantograph carbons fitted to trains operating on this route has been recorded in the past.</p> <p>The root cause of the damage to the pantographs on 9114 & 91132 was high temperature caused by arcing due to poor contact between the pan carbons & the contact wire in icy conditions. Virgin Trains East Coast manages the damage to pan carbons caused by icing by rotating the pan heads during icy conditions. NO carbons will remain service longer than 6 days while the conditions persist. However, the pan heads are not designed to ‘ice break’ & it is inevitable that high wear rates and damage will be sustained even in the best of conditions.</p> <p>“The duplex pantograph fitted to 91114 would have normally have overcome the problems encountered had the conditions not been quite so severe.”</p> <p>NB. In the absence of clearer guidance from the Guide, both parties eventually had to agree to a commercial split.</p>
DAB DECISION	<p>The Board when reaching its decision at the 14th July 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 took a vote on this submission and it was found that 6 were against the proposal and 5 were for it. The voting pass mark was not reach.</p> <p>The Board decided that there was merit in putting together a sub-group to work on a proposal for change which would be agreeable to all parties. The members of the sub-group would be: Neil Dodd, Jim Pepper, Warren Lake and Alex Kenney, Chaired by Mark Southon.</p>

Originators Reference Code / N ^o	NR/P177 – Next day stock provision																		
Name of the original sponsoring organisation(s)	Network Rail																		
Exact details of the change proposed	<p>Amend title of Section 4.12 to read:-</p> <p><u>4.12 FLEET EQUIPMENT PROBLEMS AND STOCK PROVISION</u></p> <p>Add new paragraph / scenarios for stock provision as a new section 4.12.6</p> <p>4.12.6 Stock Provision</p> <p>4.12.6.1 Delays or cancellations caused by either</p> <ul style="list-style-type: none"> • the non-provision of stock or; • the provision of non-diagrammed stock type <p>at the start of a diagram, for whatever reason, is the responsibility of the train operator and should be allocated to a new prime cause incident. This includes circumstances where stock is damaged or displaced from an incident on its previous diagram.</p> <p>4.12.6.2 Likely situations:</p> <table border="1" data-bbox="555 1137 1417 2083"> <thead> <tr> <th>No.</th> <th>Circumstances</th> <th>Delay Code</th> <th>Incident Attribution</th> </tr> </thead> <tbody> <tr> <td>a</td> <td>Post incident (next day) stock change or provision of different stock (length, capacity, capability) to that specified in the diagram (start of diagram / Operator decision)</td> <td>MS</td> <td>Train Operator (M***)</td> </tr> <tr> <td>b</td> <td>Post incident (next day) stock balancing / movements to mitigate stock provision were prevented by Network Rail (general refusal, booked possessions for example)</td> <td>As appropriate to incident causing initial requirement</td> <td>As appropriate to incident causing initial requirement</td> </tr> <tr> <td>c</td> <td>Stock change or provision of different stock (length, capacity, capability) to that specified in the diagram (during unit diagram operation due to an incident impacting /</td> <td>As appropriate to incident causing change</td> <td>As appropriate to incident causing change</td> </tr> </tbody> </table>			No.	Circumstances	Delay Code	Incident Attribution	a	Post incident (next day) stock change or provision of different stock (length, capacity, capability) to that specified in the diagram (start of diagram / Operator decision)	MS	Train Operator (M***)	b	Post incident (next day) stock balancing / movements to mitigate stock provision were prevented by Network Rail (general refusal, booked possessions for example)	As appropriate to incident causing initial requirement	As appropriate to incident causing initial requirement	c	Stock change or provision of different stock (length, capacity, capability) to that specified in the diagram (during unit diagram operation due to an incident impacting /	As appropriate to incident causing change	As appropriate to incident causing change
No.	Circumstances	Delay Code	Incident Attribution																
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	<table border="1" data-bbox="555 336 1434 537"> <tr> <td data-bbox="555 336 635 537"></td> <td data-bbox="635 336 999 537">mitigation)</td> <td data-bbox="999 336 1209 537"></td> <td data-bbox="1209 336 1434 537"></td> </tr> </table> <p data-bbox="560 544 1145 577">(Note: Next day is considered to be from 02:00)</p>		mitigation)		
	mitigation)				
Reason for the change	<p data-bbox="456 710 1422 882">After DAB 24 guidance relating to on after rest crew provision, the discussions moved onto stock provision, being seen to be in the same vein. There are still many industry disputes and debates surrounding stock provision impacted from the day before. Disputes are still received requesting merges to previous day's incidents, both to NR, other Operator and on self incidents.</p> <p data-bbox="456 920 1417 1055">Additionally scenarios involving stock alterations / provision where an Operator has been prevented the opportunity to mitigate / balance stock (due to NR reasons - possessions etc) also needs confirming to be related to the incident the day before.</p> <p data-bbox="456 1093 1401 1193">Similarly, scenarios involving stock alterations / provision during a unit's diagram also need confirming to be related to that incident when occurring on the day.</p> <p data-bbox="456 1232 1417 1296">In many discussions the term 'next day' is mentioned. This proposal adds a note to say that 'next day' should be considered as 02:00.</p> <p data-bbox="456 1335 1414 1507">This proposal has been progressed through the Network Rail Route Performance Measurement Manager's Group emanating from common and recurring areas of resolution discussions that the group felt need proper clarity. The DAG should be clarified to remove any dubiety on and clarify these issues and thus improve the process and time spent debating the issue.</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.

Clarity Only – improvement in resolution process time

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

N/A

NR/P177

Company Organisation	Comments
<p>DAMG - on behalf of the identified companies as per page 1.</p>	<p>We do not accept the above proposal. The proposal acts as a counter incentive to Service Recovery and offering the best service to train passengers and freight customers. We believe that it will create increased disputes due to conflicts of what creates prevention by Network Rail. In the same way that DAB 24 has an expectation on the train operators to have Train crew resources to deal with disruption or accept delays as a consequence, so it is in the same vein that if the Network does not allow mitigation, regardless of how it is designed, Network Rail should accept the delays as a consequence, and this will have a commercial impact. It does not take into any consideration trains that travel over night or cross the end of the day. It does not take into account incidents that occur between the 22:00 Network code deadlines for agreement of amendment to the plan.</p> <p>The definition of a “general refusal”, what does this mean? Does a signaller booking off duty and refusing to work overtime count as a general refusal, or a Train Operator rewriting a train plan for the following day and a train running controller stating they are too busy to upload it. Does a signaller refusing to do a set swap because they are concerned about the being able to complete the action due to their work load</p> <p>The proposal assumes that all incidents are completed within one day, occur at a time that fits within industry timescales for publishing amended timetables, that the scale and impact of an incident.</p> <p>To present some very basic actual examples,</p> <p>An overnight passenger train has its window broken due to stone throwers, the train runs to destination at end of diagram rather being cancelled. It is then swapped into a new diagram to get it back to depot; the proposal makes this delay now the responsibility of the train operator, even thou all actions minimised industry delay and offered the best service to the passengers.</p> <p>Due to significant disruption as a consequence of high winds bringing down OLE, trees on the line, lines being closed, trains being diverted, stock displacement occurs. All staff are focused on managing the service safely. The following day stock displacement is significant. Under the proposal as no “general refusal” for mitigation is recorded, all delays recovering the service now become the responsibility of the train operators</p>

Company Organisation	Comments
	<p>concerned, vice the coding to the disruption where they have traditionally been allocated.</p> <p>This proposal does not offer clarification of an existing process, and creates further dubiety.</p> <p>We propose that the DAG is not changed and that attribution continues to be based on the investigated cause of the delay, the ability of an access party to mitigate a delay and the application of DAG 2.7.1 and 2.7.2</p> <p>There is a concern that there will be a commercial impact as the application will change the responsibility of the incidents. It is not viable for an individual operator to quantify commercial loss due to the uncertainty of which historic incidents would be applicable, and how this proposal would be applied in the future.</p>
Network Rail	<p>Regarding the next day comment (0200) Is this after the last train delayed by an incident, after start of the incident or after end of the incident? E.g. last train delayed or incident is rectified at 0145, next day is 15mins later. Last delay or incident rectified at 0900, next delay is 15hrs later.</p> <p>Agree change with the exception of (b) which seems to be at odds with prior guidance agreed by DAB where DAB has recently agreed an amendment to 3.1.5 to state.... All attribution should be based on, and made against, the agreed 'plan' for the day in question. For Passenger Operators this is referred to as the Applicable Timetable which is the plan as agreed by 22.00 on the day prior to the trains operation. DAB also agreed 4.31.1."This section reflects the responsibility of and requirement on Network Rail to produce a validated train plan, paths and schedules for all services operating on the Network" and 4.31.2. All schedule errors contained within TRUST are the responsibility of Network Rail as they should be validated prior to uploading. This is irrespective of Operator access requests or any incidents causing the need for revised plans or schedules to be produced. The provision of rolling stock is Part of the plan.</p> <p>Would suggest that (b) should be to the event that prevented the agreed revised plan being implemented.</p> <p>DAB also agreed 4.31.2. All schedule errors contained within TRUST are the responsibility of Network Rail as they should be validated prior to uploading. This is irrespective of Operator access requests</p>

Company Organisation	Comments
	<p>or any incidents causing the need for revised plans or schedules to be produced. Taking the above into account it would be contradictory for DAB to state attribution should be against the plan for the day and when a new plan is devised any delays incurred as a result of it are the responsibility of NR to then state a service that has not been re-timed should be re-attributed to the previous day purely on the basis that the operators staff have lodged.</p>
Virgin East Coast	<p>Does not accept this proposal. Network Rail’s definition of the next day as 02:00, whilst having a basis in Network Code, is not practical for delay attribution – if an incident is on-going or commences before 02:00, but after 22:00 the previous night, the operator has no opportunity to mitigate or even prevent the resultant delays.</p> <p>In the absence of the ability to link related delays, attribution will suffer and there will be a clear ‘perverse incentive’ for operators to simply cancel trains entirely that might have been run otherwise, albeit with some delay, in order to avoid MS coded delays that previously would have been coded to the cause of the disruption.</p> <p>Network Rail’s proposal also assumes that Operators have unlimited resources and that they are responsible for mitigating any and all delays on day two. The existing guidance only calls for reasonable mitigations and makes no distinction between day one and day two. If the incident is of sufficient size to cause disruption of a sufficient magnitude.</p>
DAB DECISION	<p>The Board when reaching its decision at the 14th July 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 took a vote on this submission and it was found that there was a unanimous vote against the proposal in its current format.</p> <p>The Board decided that there was merit in putting together a sub-group to work on a proposal for change which would be agreeable to all parties. The members of the sub-group would be: Richard Parsons, Alistair Rutter, the Secretary as Chair</p>