

ORR Consumer Expert Panel

5 August 2019, 13.00-16.30

One Kemble Street, London



Agenda

13.00-13.15	Welcome & Review of visit to Highways England
13:15-13.30	Consumer Team Update
13.30-14.15	Crowding
14.15-15.15	ORR advice to the Williams Review
15.15-15.30	Break
15.30-16.15	Communicating risk and uncertainty
16.15-16.30	Meeting Summary, Revised Terms of Reference & Close

Welcome & Introductions

Anne Heal welcomed the panel and outlined the meeting agenda, no conflicts of interest were raised. Apologies were noted from Claire Whyley, Steve Gooding and Stephanie Tobyn.

For panel members who were unable to attend, Anne provided the panel with a review of the recent visit to Highways England to discuss its approach to fully understand its approach to making customer service improvements. The panel members who were present at the meeting were impressed with the sophisticated strategy set out by Highways England and noted the significant development it has made to make customers at the heart of what they do.

ORR advised that its Board will be informed of the meeting at its next meeting in September. ORR also advised that it was keen to build on its interactions with Highways England and will explore ways to maintain discussions with them on this matter.

Consumer Team Update

New Guidance for train and station operators

ORR's Consumer team published its new Accessible Travel Policy (ATP) Guidance (the Guidance) for train and station operators. This replaces the DfT's 2009 Guidance on how to write your Disabled People's Protection Policy (DPPP). In its development, the team have engaged extensively with all train and station operators as well as members of disabled people advocacy groups over the last two years. The team are aware of concerns across the industry in relation to improving reliability and reducing the notice period for booking assistance but meetings are taking place

with operators on a one to one basis over the next few months to resolve any issues and allay concerns.

The new Guidance can be found on our Improving Assisted Travel webpage found [here](#).

The panel highlighted the changes to staff training requirements as a major step change and hoped that the new Guidance would help change the culture across the industry. The panel also encouraged ORR to use its enforcement powers where necessary to tackle any compliance issues.

Annual Consumer Report

The team's annual consumer report, Measuring Up, was published on 16 July. The report provides an overview of the team's work over the last year, including case studies and comparative performance, individual train company performance, and next steps.

The full report can be found on our website [here](#).

The panel praised the team for their work in producing the document, highlighting the positives around its readability, structure and improved content. Although the document is aimed at industry stakeholders the panel suggested the team should look to manage passenger expectations and consider communicating the document to the public. In response Marcus Clements, Head of Consumer Policy, advised the team work closely with ORR's Communications team and will explore options to promote the document more widely going forward.

Statutory licence modification consultation - ADR

ORR published its decision to modify passenger and station licenses to mandate membership of the Rail Ombudsman following the response to its consultation, which ran from 26 February to 26 March 2019. Marcus Clements advised the panel that ORR will be reviewing performance of the Rail Ombudsman in 12 months' time and agreed to provide the panel with the opportunity to comment on ORR's report.

ORR's decision can be found in full on our website [here](#).

Transport Focus and London TravelWatch discussed their involvement to date in the process. Transport Focus highlighted concerns they have over visibility of data that helps them to monitor complaints volumes but advised they hope to be in a better place by second Quarter of 2019-20. London TravelWatch echoed ORR in suggesting that 8 weeks was too long a process for referrals to the Rail Ombudsman and advised that the current process is too laborious for passengers.

Crowding

Following discussions with the panel in December 2018, Tim Gill shared the findings from RSSB's (Railway Safety Standards Board) research into the health, safety and wellbeing impacts of crowding on rail passengers. Tim advised that in response to the research ORR will look to broaden the scope of its policy to include passenger wellbeing.

The panel welcomed the research but highlighted the need for the industry to understand people's perceptions of how crowding and over-crowding can vary. The panel suggested that ORR should use the research findings to revise its position statement to set the tone for the industry and explain the impact crowding can have on passengers.

Transport Focus highlighted that 'abnormal events' such as late notice platform changes or short forming rolling stock present a challenge for Operators and passengers alike; particularly those with disabilities. In response the panel highlighted the need for the industry to be more empathetic towards passengers and to understand the importance of having a suitable plan B in place.

Tim agreed to return to the panel in the future to update them on this topic once the new policy statement is in place.

[ORR advice to the Williams Rail Review](#)

Dan Brown, Director of policy, discussed ORR's response to the Williams Rail Review, highlighting the ambitious approach ORR have taken to outline the need for the industry to reform compensation and accessibility.

Dan advised that the challenge for ORR is to deliver on its response and work towards implementing the short term outcomes highlighted in the report.

The full report can be found on our website [here](#).

The panel provided their support but also noted the challenge that lies ahead in communicating compensation rights to passengers. The panel suggested that the industry needs to do more to encourage passengers to claim whilst, at the same time, being cognisant that passenger behaviour may never change. ORR agreed and noted the key role that Transport Focus will play in developing this.

With recent political changes and Government in recess Dan highlighted the current levels of uncertainty but confirmed that weekly workshops with all involved parties are taking place.

More broadly the panel encouraged ORR to be brave and ambitious and seek the opportunity to conduct consumer engagement to better understand the impact the issues raised in the review have on passengers.

[Communicating risk and uncertainty](#)

Jen Ablitt, Deputy Director, Rail Safety Policy, Strategy and Planning, sought views from the panel on how ORR could better communicate risk to the public. This follows a clinic ORR held with Professor Sir David Spiegelhalter and his team at The Winton Centre for Risk and Evidence Communication in Cambridge.

The panel welcomed the work being done by ORR and suggested that it could do more to be more consumer focused with regards to safety and should consider being clearer about what ORR does and does not have responsibility for. The panel reiterated how people's perceptions of safety will differ from person to person and highlighted that consumer expectation are now much wider than the current remit

Consumer research was identified by the panel as an effective method of achieving a successful outcome and offered to provide input. The panel also considered building up a level of trust with consumers, and industry, was key and highlighted the need for ORR to demonstrate leadership around the value of engagement and a better understanding of consumer concerns.

The panel highlighted the valuable work being done by the Food Standards Agency (FSA) and Office of Nuclear Regulation (ONR) in this area and stressed the need for ORR to involve other health and safety regulators in its discussions.

Jen agreed to return to the panel at a later date to report on progress.

[Meeting summary, revised Terms of Reference and Close](#)

ORR provided the panel with a revised terms of reference that cements changes ORR have introduced since appointing Anne Heal as Chair. The panel were asked to comment on the revisions to provide any further input before the document is finalised by ORR.

Overall the panel were complimentary about the recent changes ORR had made but suggested more could be done to provide feedback on the impact the panel's input has had on the work that is brought to their attention. ORR agreed and advised that work is being done internally to raise the panel's profile and to ensure appropriate feedback is given to the panel on a regular basis.

The next consumer panel meeting will take place on 11 December 2019.

END