Annual Rail Consumer Report 2020 Executive Summary

Impact of Covid-19

1   The railway industry felt the effects of Covid-19 from the latter part of March 2020 onwards. Whilst the focus of this report is April 2019 to March 2020, it is important to note the impact that Covid-19 has had on the industry and how we have responded to the pandemic in the consumer areas for which we are responsible.

2   Covid-19 has brought unparalleled challenges for train companies and has affected their ability to continue to meet regulatory requirements. Many have had to move staff from call centres to home working (or significantly reduce resource in call centres due to social distancing), all while facing an unprecedented and rapid increase in the number of claims for ticket refunds.

3   This has led to unforeseen challenges in working arrangements and significant reprioritisation of resources. New issues have arisen such as the requirements for key workers, changes to train timetables, how crowding and social distancing will work on trains and at stations, and requirements for face coverings.

4   While we are being reasonable and pragmatic during this time, we have also made it clear that companies must ensure that meeting passengers' needs remains at the forefront of their thinking. Our discussions on key consumer areas: accessibility, complaints handling, ticket retailing, and passenger information have been guided by this.

5   The **May timetable change** was a key focus, with a potential increase in the number of passengers travelling with social distancing measures in place. It remains vitally important for passengers to know how and when they can travel and that advice about their services is clear and up to date. During this period, we carried out daily reviews of train companies' websites, including the overriding message, prominence of information, frequency of updates and advice for passengers on, for example, assisted travel. We shared and discussed our assessment with companies, who were responsive and engaged in making improvements.

6   We have also published travel advice to passengers[1] regarding their journey as well as what they can do to get money back on their unused train tickets. We have kept this advice updated to ensure it remains current with government advice on using public transport and to show the extended time-period to 56 days (from 17 March or the latest travel date) for claiming season ticket refunds. And we have worked with third party retailers to ensure that their messaging to passengers on ticket refunds is equally clear and consistent.

7   We will continue to deliver our forward work programme being mindful of stakeholder capacity to engage, particularly working closely with companies to progress important improvements in passenger information as well as finalising our Accessible Travel Policy guidance regarding rail replacement services. We will continue to review how companies adapt to the challenges that have arisen because of Covid-19 and will work closely and collaboratively with government, the rail industry, consumer organisations and other stakeholders.

8   More detail on our approach during the pandemic is in our recent letter[2] to train companies.

---

[1] https://orr.gov.uk/coronavirus-advice

[2] https://orr.gov.uk/__data/assets/pdf_file/0006/42927/holding-train-companies-to-account-during-the-coronavirus-pandemic-2020-05-20.pdf

1. Executive summary

About this report

9   This report illustrates the breadth and depth of our consumer work. Throughout the year, we have continued to seek the views of our **Consumer Expert Panel**[3] as we develop our policy work. We summarise our key activities designed to secure improvements to the service provided by train companies to their passengers, highlight where progress has been made and where action has been necessary, and compare performance across companies. We also provide summary tables of specific interventions with companies to protect the interests of passengers and, for each of our consumer areas, our forward work for 2020/21.

Key interventions to protect passengers

Ticket retailing

10   Our focus here is on ensuring information is clear to enable passengers to make informed purchasing decisions. This year, we have worked with Third Party Retailers and train companies to **improve the ticketing information for passengers on websites**. This includes improving the messaging available to passengers online in relation to ticket sales for where the timetable has yet to be confirmed, as well as where there may be rail replacement services[4].

11   This year we put in place changes to licence arrangements[5] and other industry arrangements to reflect the Rail Minister's decision not to renew the exemption for domestic services from the requirements of the **Rail Passengers' Rights Obligation Regulations (PRO)**. The PRO enhances and strengthens the existing rights of rail passengers particularly in the areas of information and ticket provision, compensation and assistance, and provides rights for disabled persons and persons with reduced mobility.

---

[3] https://orr.gov.uk/about-orr/how-we-work/expert-advisors/consumer-expert-panel

[4] https://orr.gov.uk/rail/consumers/consumer-law (expand 'publications and updates')

[5] https://orr.gov.uk/rail/publications/access-and-licensing-publications/consultation-on-changes-to-operator-licences

Passenger information

12   We want passengers to have the information they need to help them to plan their journey, including when there is disruption. This year we asked[6] the industry to come together to set out how it will make tangible and enduring network-wide improvements to the provision of passenger information, including during disruption, through the delivery of a **Passenger Information Improvement Plan**. We also asked it to work with ORR to develop a **Customer Information Measure** (CIM), an assessment tool to help the industry drive continuous improvement in the delivery of customer information. The industry has responded[7] positively, with the Rail Delivery Group committing to develop a plan alongside the CIM, both of which will work to enable passengers and staff alike to have better access to timely, accurate and complete information.

Assisted travel

13   Our focus in this area is on the services for passengers who require assistance to make their journey. This year we published our new **Accessible Travel Policy (ATP) Guidance to replace the existing Disabled People's Protection Policy (DPPP)**. This guidance sets out how train companies should write their ATPs to set out their arrangements for providing assisted travel to passengers. The new guidance is the culmination of detailed research and extensive consultation and engagement undertaken over a number of years, and we are already approving train companies policies against these new requirements. The new ATP Guidance will improve how passengers receive assistance to travel through:

- increasing the reliability of assistance for disabled passengers;

- strengthening train and station companies' staff training in disability awareness;

- improving accessible journey planning;

- reducing the notice period for booking assistance;

- improving the ability for passengers to receive redress if things do go wrong;

- standardising and improving information for passengers on the assistance available; and

- involving disabled people in a meaningful way in the development and review of company policies and training.

---

[6] https://orr.gov.uk/__data/assets/pdf_file/0017/42434/passenger-information-during-disruption-letter-to-industry-2019-11-15.pdf

[7] https://orr.gov.uk/__data/assets/pdf_file/0016/42433/passenger-information-during-disruption-industry-response-2020-01-08.pdf

Industry trial to improve the reliability of assisted travel

14   This year we commenced **a trial involving Network Rail and a number of train companies to test our proposed safeguard measures designed to improve the reliability of Assisted Travel**. The initial findings have been positive, both in terms of improving the reliability of information transfer between staff and the experience of staff in providing better assistance to passengers.

15   The initial trial intends to test that the improvements we have set out in the ATP Guidance are one method through which the industry can improve the reliability of assistance provision for those passengers that book in advance of travel, and deliver subsequent benefits for those passengers that choose to travel spontaneously.

Complaints and redress

16   We want to ensure that train companies provide an effective service for handling complaints and redress. This year, we revised our methodology for our survey of **passenger satisfaction with train companies' complaints handling**. We have had a substantial response with passengers completing almost **55,000 surveys**. This has enabled us to publish comparative information between train companies. This insight will enable us to look at the differences in complaints handling between the best and weakest performing train companies and challenge those companies who are not performing well, to improve the service that they are providing to passengers in this area.

The Rail Ombudsman

17   This year we undertook an **independent review of the Rail Ombudsman scheme after 12 months of its commencement**. The purpose of this research is to ensure that the Rail Ombudsman continues to provide a timely and effective means of redress for consumers with unresolved complaints. The review has identified a number of areas where the ombudsman arrangements can be enhanced around governance and accountability, operations, and impact and influence. Through this independent review we will set out a plan to address these challenges, strengthen the scheme, and enable its success.

Delay compensation

18   This year we submitted **advice[8] to the Williams Rail Review[9]** setting out a number of potential reforms targeted at improving passenger awareness of their entitlement to delay compensation, improve the process for claiming compensation and increase incentives on companies to promote delay compensation. These reforms will better protect the interests of passengers as well as promoting positive behaviours amongst train companies.

19   Over the last year, **train companies closed 6.3m claims for delay compensation**. We collect data on the percentage of claims that are processed in line with the industry requirement to do so within one month, together with the percentage of claims that are approved and rejected.

20   This insight has informed the development of our work to consult on the introduction of **a new licence condition on delay compensation**, something we said we would do in our response to the Williams Review. The licence condition will require adherence to a delay compensation code of practice, which will set a common baseline for all train companies designed to improve the experience of passengers in this key service area.

Specific interventions involving train and station companies and ticket retailers

21   Much of our work is intended to benefit all consumers, such as our current emphasis on improving passenger information across the industry as a whole. Other interventions target specific concerns that arise from the data and insight that we collect - and have set out throughout this report - ad hoc monitoring or surveillance and specific issues brought to our attention by passengers themselves or key stakeholders such as Transport Focus.

22   This year we have identified and responded to almost 40 cases where the conduct of the company concerned was potentially harming passenger interests. In **Table one** we set out some examples of these specific interventions with companies to protect the interest of rail passengers.

23   This area of work provides tangible improvement and protection for passengers at a local level. It can address weaknesses in processes, operational practices, staff training or understanding and implementation of regulatory and legal requirements. Delivering behavioural change through engaging with companies in this way is a key priority for us in ensuring that we use our resources effectively and deliver the greatest benefit for passengers.

---

[8] https://orr.gov.uk/__data/assets/pdf_file/0005/41396/orr-advice-to-the-williams-rail-review-july-2019.pdf

[9] https://www.gov.uk/government/collections/the-williams-rail-review

Forward work programme for 2020/21

24   Monitoring already forms a key part of our work to protect the interests of consumers. This report sets out the outcome of this monitoring and the significant progress that we have made across all of the key consumer areas over which we have responsibility.

25   In the coming year we intend to continue and, where necessary, enhance this monitoring to enable us to understand how companies are meeting the needs of rail passengers. In **Table two** we set out the key activities that we will undertake in the coming year to build on successful work to date with the industry, including completing our plans to improve the travel assistance it provides to passengers who need it. We will also continue our new cross industry initiative to improve the information provided to all passengers and engage in new activities – for example in relation to the new Health Protection (Coronavirus, Public Health Information for Passengers Travelling to England) Regulations 2020 – where required.

Table one: Examples of specific interventions with companies to protect the interest of rail passengers

Area – Ticketing Retailing		
Issue	**Company/ Retailer**	**Action/outcome & impacts**
Lack of prominent information about sleeper ticket refund policy on the website.	Great Western Railway (GWR)	We raised this omission with GWR. In response, it improved the information for passengers on its website so that these terms and conditions are more prominent.
Insufficient information on the website about when railcard discounts can be used on ticket purchases.	Stansted Express	We contacted Stansted Express. It reviewed and improved the information available to passengers about discounts on its website.
Insufficient material information during retailing process for consumers about known disruption.	Trainline - retailer	We wrote to Trainline to ask it to improve its information provision. As a result, it made improvements to its website and arranged to notify those passengers who have already bought tickets of relevant changes to train services.
Insufficient information about peak/off-peak car park ticket restrictions.	Chiltern Railways	We contacted Chiltern Railways to ask that it make improvements. It worked with its parking provider to change the website to provide clear information to passengers about when the peak/off-peak restrictions apply.

Area - Passenger information		
Issue	**Company**	**Action/outcome & impacts**
Information where Transport for London (TfL) is taking over GWR services e.g. at Langley. The GWR website link was not to the appropriate part of the TfL website. TfL timetables did not show the full service operating at the stations that still have a GWR service.	GWR TfL	We contacted both companies to raise our concerns about the information available to passengers. GWR revised its website to include a link to the correct TfL Rail page. TfL changed its online timetable to include GWR services. Passengers now have information to all services calling at these stations.
"Stand clear - through train approaching" message displayed in the wrong format on some screens at Greenwich. This meant that the full safety message was not displayed when a train that did not stop at the station was approaching.	Southeastern	We contacted Southeastern to ask that they resolve this matter urgently. It identified that this was also an issue at other stations with similar screens. Southeastern made changes so that the full safety message is displayed correctly on all screens for passengers.
Delays to opening Worcestershire Parkway station not communicated clearly which resulted in tickets being sold for a period before the station opened to passengers and an inconsistent message about refunds.	GWR	We contacted GWR to ask that the information about the station closure needed to be clearer, ticket sales suspended when opening was delayed, and text about refunds amended. GWR resolved the issue. We also shared our information with Transport Focus to avoid duplication as it had raised similar concerns.
Issues with platform information screens at Warrington West new station – trains disappearing from the screens before arrival.	Northern	We shared our monitoring with Northern who immediately escalated to their supplier. This was resolved and passengers now have the information they need on the screen.

Area - Assisted Travel		
Issue	**Company**	**Action/outcome & impacts**
Potential gaps in the process for both the provision of assistance and the ease of transition for passengers connecting between GTR's Gatwick Express service and continuing their journey at Gatwick Airport.	Govia Thameslink Railway (GTR)	ORR contacted GTR to seek assurances about the provision of assistance. GTR and Gatwick airport staff have agreed a communication protocol to ensure this is delivered, even where there are staff shortages. This will ensure that passengers receive seamless assistance from station to airport.
A key worker was allegedly refused assistance by the train company due to physical distancing rules during Covid-19.	Southeastern	ORR asked for details and sought assurances that assistance was still being delivered by Southeastern to passengers. Southeastern confirmed there was an isolated incident, provided details of their internal staff briefings and updated their external communications.
A passenger was unable to alight at their destination station even though staff had been informed assistance was required.	South Western Railway (SWR)	ORR requested details of the incident reported via social media. SWR provided information and updated its internal communications procedures to ensure requests for assistance via social media are handled correctly for the benefit of passengers.
Ticket office closures resulting in reduction of station staff, and the impact on passengers who rely on this resource for boarding and alighting the train.	c2c	ORR sought assurances that passengers are still able to receive boarding and alighting assistance at every accessible station following planned reductions in ticket office opening hours. c2c set out its planned mitigations using mobile customer service staff, details of which are communicated to passengers at stations and will be in its forthcoming ATP.

Area – Complaints handling		
Issue	**Company**	**Action/outcome & impacts**
Responding to 95% of complaints within 20 working days.	c2c	ORR contacted c2c following a period of non-compliance. c2c explained that IT system implementation issues had resulted in an increased number of complaints. ORR initiated enhanced monitoring and sought a detailed recovery plan against which progress was monitored. Where progress was demonstrated to be slow, ORR sought a revised recovery plan with a challenging date to meet compliance. c2c returned to compliance.
Responding to 95% of complaints within 20 working days.	West Midlands Railway (WMR)	WMR proactively informed ORR about an increase in its complaint volumes largely resulting from its timetable change. ORR initiated enhanced monitoring and sought a detailed recovery plan against which progress was monitored. There was steady progress toward compliance prior to the impact of Covid-19.
Responding to 95% of complaints within 20 working days.	Hull Trains	Hull Trains proactively informed ORR about an increase, albeit low, in complaint volumes due to fleet reliability, extreme weather conditions, and power blackout in the summer. ORR initiated enhanced monitoring and sought a detailed recovery plan against which progress was monitored. Hull Trains returned to compliance.
Responding to 95% of complaints within 20 working days.	London North Eastern Railway (LNER)	LNER proactively informed ORR about an increase in complaint volumes due to a number of incidents on their network. LNER asked to meet with ORR to discuss its plans for compliance. Following this meeting, ORR placed LNER on enhanced monitoring and monitored progress against its recovery plan. LNER returned to compliance.

Table two: Forward work programme for 2020/21

Consumer area	ORR next steps	Timing
Ticket retailing	Continue our **awareness campaign** by releasing topic-based information through social media, and continue to feed the research findings into any future updates to the National Rail Conditions of Travel.	Ongoing
Ticket retailing	Monitor, and follow up where necessary, the **provision of information** by train company and third party rail retailers for passengers on their rights, particularly where these have changed because of Covid-19.	Ongoing
Ticket retailing	Monitor adherence to the requirements of the **Passenger Rights Obligation Regulations** and ensure that train companies publish the required service quality reports.	Autumn
Ticket retailing	Embed our **new consumer powers** from the Consumer Protection Cooperation Regulations into our enforcement policy and processes, and explain their meaning to train companies.	Autumn
Passenger information	Review the industry **Passenger Information Improvement Plan** developed in response to our research, and continue to work with Network Rail, train companies and stakeholders to ensure that the industry delivers its commitments in this area.	Autumn
Passenger information	Work with the industry to finalise the **Customer Information Measure** to assess train company processes and practices in delivering passenger information, and use it as an assessment tool to improve performance.	Autumn
Passenger information	Update the **regulatory statement** to recognise the creation of a separate licence condition for compensation and changes to regulatory processes following adoption of the **Passenger Information Improvement Plan**.	Spring
Passenger information	Work with Transport Focus, Rail Delivery Group and third party retailers to ensure that **tickets are not sold in advance of 12 weeks** where the period will be affected by planned engineering works.	Autumn
Passenger information	Monitor and where possible test the information provided by train companies to ensure that appropriate **accessibility information** for vehicles with time-limited dispensations is given to passengers.	Ongoing

Passenger information	Monitor relevant companies' compliance with requirements to provide **information to passengers travelling to England** by rail about Covid-19.	Ongoing
Assisted travel	Complete the **ATP approval process** for all rail companies, including the approval of individual guides for each station managed by Network Rail.	Ongoing
Assisted travel	Publish revised ATP Guidance with revised requirements for the accessibility of **rail replacement services**.	Summer
Assisted travel	Complete additional **trials of passenger assistance** safeguarding measures and publish a handover protocol for use by rail company staff.	Autumn
Assisted travel	Publish a consultation on **ATP Guidance for bespoke companies**.	Autumn
Assisted Travel	Analyse cases under the **design code** to identify areas of weakness to ensure that accessibility is considered in accordance with the Code.	Autumn
Complaint handling	Conduct a review of the ORR **Complaints Handling Guidance** to ensure it remains fit for purpose.	Spring
Complaint handling	Look at the differences in **passenger satisfaction with complaint handling** between the best and weakest performing train companies to identify and improve performance where necessary.	Autumn
Redress	Publish our **Rail Ombudsman Review** research report together with a plan for taking forward its recommendations.	Summer
Redress	Publish the results of our consultation on a **delay compensation licence condition**, and take the steps necessary to ensure its introduction.	Autumn