

**Stephanie Tobyn**  
Director Consumers and Scotland



David Horne  
Managing Director  
LNER

25 June 2021

Dear David

## **Passenger impact report – Hitachi class 800 trains**

We have published today the results of our review of the impact on passengers following the Hitachi class 800 trains disruption. As you will be aware, this work focussed on the information provided by LNER and the three other train companies affected by the disruption, and National Rail Enquiries (NRE), over the weekend of 8 May and over the following period to 21 May. I am grateful to your team for reviewing the draft findings in relation to your company. The purpose of this letter is to bring the results of our review to your attention, and in particular to remind you about obligations in relation to ticket refunds.

### **Background**

As you will be aware, alongside our review of the issues surrounding the safety issues with the Hitachi class 800 trains, ORR initiated a review of the impact on passengers of the resultant disruption. In particular, we considered the consistency and clarity of travel information, ticket refund rights, advice to passengers about alternative travel arrangements and ticket acceptance, and contact with passengers who had booked assistance. Our consideration of the communication of ticket refund rights also included a review of the information provided by third-party retailers.

### **Summary of findings**

Our overall findings on the information provided by the train operators and NRE to passengers are positive and they performed well in the circumstances. Nonetheless, we identified a number of issues which are worthy of further consideration to reduce the impact on passengers should similar disruption occur in future. As they apply across the industry including to NRE, we have written to the Rail Delivery Group with whom we intend to meet to discuss these further.

### **Ticket refunds**

It is important that passengers can access the information they need to understand their eligibility for a refund and are not faced with charges for doing so. In our review, we identified a number of areas where improvements in the information provided to passengers in future should be considered. In particular, we found the provision of



clear and consistent information about the ability to claim a refund and the application of an administration fee to be inconsistent or absent in this instance.

As you will be aware, we set out our expectations to in this area to you by email on 11 May 2021. Following publication of our review, we have written in similar terms to all train operators. We intend to come back to the issue of ticket refunds as part of our forward work plan.

We have also written to third-party retailers to set out our findings regarding the clarity and consistency of refund information and to reiterate our expectations in this area.

Yours sincerely

A handwritten signature in cursive script, reading 'Stephanie Tobyn', is positioned below the closing text.

**Stephanie Tobyn**