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Dear Sneha

Railway Boards

We have discussed what information Network Rail should put into the public domain regarding railway boards, with specific reference to Paragraph 3.36 and Box 3.2 of ORR's 'Overview of approach and decisions' Final Determination document (published in October 2018) which states that railway boards should "publish a key messages report with actions following each meeting and publish an annual plan for passengers explaining what they can expect from Network Rail."

We have considered the current work of railway boards in some detail. I have also now had the opportunity to discuss the expectations set out in your Final Determination with Sir Peter Hendy's office.

As you will be aware, the original objective behind the development of railway boards in CP5 was to improve local engagement between Network Rail, its customers and end-users¹. Whilst this is as true today as it was then, the role and purpose of railway boards in CP6 has continued to evolve, particularly in light of the global pandemic.

Since March 2020, discussions that take place at railway boards have become increasingly confidential or commercially sensitive in nature as meetings have focussed on both the immediate impact of Covid and post-Covid industry recovery. It is our absolute expectation that confidential or commercially sensitive conversations at railway boards will continue especially following the recent publication of the Williams-Shapps Plan for Rail.

In addition, and as discussed at the Chairs of the railway boards meeting attended by Declan Collier in early March, the Chairs of the railway boards have increasingly focussed their attention on industry matters (as opposed to just Network Rail matters) including promoting closer collaborative working between Network Rail and its customers, improving day-to-day operational performance for passengers and improving passenger information particularly during periods of perturbation.

¹ For the avoidance of doubt our System Operator (SO) Advisory Board is separate from railway boards and is a formal mechanism with a remit to hold the SO to account, for the development and delivery of its business plan on behalf of funders, customers and end users. The SO Advisory Board has a different remit / purpose to railway boards. We have and continue to publish information on the work of the SO Advisory Board which includes ongoing consideration of SO's overall performance, priorities, risks, opportunities, plans and funding, capabilities and incentives. We monitor SO's delivery through scorecards and customer surveys to promote openness, transparency and scrutiny of SO's work.

In this context we do not believe that it would be appropriate for Network Rail to make information about the discussions that take place at railway boards public. I have discussed this matter with you, and we have therefore jointly agreed that the expectations as set out in your Final Determination should be set aside.

Notwithstanding this, engagement with ORR in relation to railway boards will, of course, continue. This includes boards sharing meeting information with you, attending board meetings as an observer and meeting with board chairs as appropriate. We recognise that wider stakeholders may be interested in the work of railway boards. We will therefore publish the terms of reference for each board and include high level reference to the work of the boards in our Annual Report & Accounts (which will next be published in July 2022).

More generally, we believe that stakeholder engagement allow us to better appreciate and understand the priorities and needs of our customers and end-users. Effective stakeholder engagement is therefore a fundamental part of how we seeks to improve our business performance on a continual basis – albeit we recognise that there is more to do, in particular to show how stakeholder feedback has been embedded into our decision-making. This will be a key areas of focus as PR23 progresses.

Please let me know if you would like to discuss any aspect of this letter further.

Yours sincerely

Jon Haskins
Director, Periodic Review & Regulatory Compliance