

ORR Consumer Expert Panel

9 September 2021

Held virtually via MS Teams



Agenda

Agenda Item	Presenter	Time
Welcome	Anne Heal	11:00 – 11:10
Consumer Team Update	Stephanie Tobyn	11:10 – 11:20
Accessibility Audit	Claire Clark	11:20 – 12:00
Technology Research and Development	Howard Taylor	12:00 - 12:45
Comfort Break/Lunch		12:45 + 13:15
Railway Safety	Ian Prosser	13:15 – 14:00
Meeting summary & AOB	Anne Heal	14:00 – 14:30

Welcome

Anne Heal (Chair) welcomed all to the meeting and asked Stephanie Tobyn to provide the Consumer Team update.

Consumer Team Update

Stephanie began by noting the recent consultation ORR had launched on its complaints handling guidance. Stephanie stated that this an area where best practice moves quite quickly and because of this the current guidance is now quite out of date. In preparing for the consultation, Stephanie added that a large amount of work had been done and ORR had commissioned independent research on best practice in terms of complaints handling.

Staying with the area and theme of complaints handling, Stephanie noted that the recent White paper had brought about some discussions regarding ORR's future involvement with the Rail Ombudsman scheme including with the industry on what our role will look like and the timeframe for any changes.

Stephanie stated that ORR had published its consultation on delay repay. Whilst there has some improvement in this area, passenger awareness of delay compensation can be enhanced, and we are conducting a statutory consultation to introduce a new licence condition in this area. Lastly, Stephanie added that there is also a BEIS consultation in the public domain on consumer protection which ORR is engaging with.

In response, the panel members welcomed the update and noted the complaints consultation and its comprehensiveness.

Accessibility Audit

Claire Clark outlined to the panel the work ORR had undertaken to review the accessibility of train operators' websites. ORR had written to the train operators to outline the gaps that had been identified. For example, one issue identified was that there were hyperlinks which were "dead", meaning that they no longer worked or went to an incorrect location.

Claire noted that train operators had taken ORR's feedback on board and prioritised making these changes. Nonetheless, ORR received some pushback from the panel regarding the automated testing that was undertaken on the basis that this did not involve any human interactions.

Claire advised that a further review is scheduled to gauge the industry's progress since the last review. ORR is considering adding new aspects to its review such as user testing and Claire sought the panel's thoughts on how this work can be undertaken and improved in the next review.

In response, the panel acknowledged the importance of the work but expressed its disappointment that these findings highlighted that a large number of disabled people simply will not be able to get the information they need from these online sources. In particular, it was noted that when a website is altered retrospectively to enhance accessibility, it will cost a lot of money when in fact, the website should have been designed with accessibility in mind to begin with.

Panel members stated that within the White Paper and Great British Railways, there is reference to a single website/app rather than individual train companies having their own. As such, it is important that this work is front and centre when building that single website/app.

Panel members also noted the value in using a five-star system of rating and provided examples in the retail sector where supermarkets had been rated on the sustainability of their products and how they had seen massive improvements in this area since the rating system was introduced.

Technology Adoption

Introducing this item, Howard Taylor noted that for this topic, there may be a very different definition of consumer from other conversations the panel might have. In this context, he was referring to the internal workings of Network Rail and how there is effectively a supplier and consumer both within Network Rail. Howard provided an overview of the ongoing ORR review, summarising what he has found so far, and asked the panel for their views or experiences on how regulators have dealt with similar situations in other industries.

Speaking generally and drawing on their wider experience, panel members noted a problem is often caused by having teams working in silos and how one team can come up with great ideas which are not then translated into great products because there is a different team in charge of their implementation. Quite often these teams speak in very different terms which can cause friction and a breakdown in communication.

Panel members observed that other sectors and organisations had faced this issue before and had introduced a third team to sit in the middle and translate back and forth between the two.

A panel member noted that this is an issue routinely faced in the Nuclear sector and offered to put Howard in touch with someone from the Office of Nuclear Regulation who could provide some insight in this area.

Additionally, panel members noted that the use of digital media such as newsletters and the presentation of real case studies is valuable in highlighting those successes and reinforcing positive behaviour. Incorporating these successes into a training package is important in embedding those behaviours going forward.

Howard hopes to publish the results of his review later in 2021, on the ORR's website [here](#).

Railway Safety

Ian Prosser CBE (HM Chief Inspector of railways and director, railway safety) attended the Consumer Panel to discuss a number of aspects of railway safety. In particular, Ian wanted to highlight what the industry is doing in relation to passenger wellbeing in a post Covid environment as well as work being done on automation within the industry and the challenges this is presenting. He also introduced the panel to a piece of work commissioned by ORR to allow some reflection through the lens of an informed passenger.

In response to this work, panel members noted that Pam Warren, (a passenger at the Ladbroke Grove crash in 1999) considers that safety information issued to passengers should be standardised and Pam provided examples of other sectors for comparison which should be useful for our own regulatory work. Ian explained that there is a Rail Industry Standard (RIS) which outlines how the railway industry should set out safety information to passengers. Furthermore, although a RIS exists, ORR has intervened where necessary to try to improve consistency and implementation. He said his inspectors intended to follow up on some issues identified in the report with operators.

Panel members remarked that there is a balance between public health and economic recovery and were concerned that safety may take a back seat to economic recovery. As such, panel members noted that someone needs to ensure consumers are protected.

Ian acknowledged this and informed the panel that the industry and ORR are trying to communicate to passengers that travelling on the trains is safe. As such, it is important they have confidence to use the trains going forward and so it is not just about marketing to boost any economic recovery but is aimed at improving understanding of the risks associated with train travel.

Meeting Summary & AOB

The Chair thanked panel members for their attendance and opened the floor up for a general discussion and feedback on any items they had heard about during the meeting.

In response, panel members noted the wide ranging nature of the session and asked

for updates on the safety item at a future meeting.

Panel members suggested that John Larkinson ORR CEO attend a future meeting so that panel members could provide their insights on consumer attitudes. The Chair said this request would be explored further and noted that feedback is regularly provided at ORR board meetings on what has been discussed at the Consumer Expert Panel.