



Consumer Expert Panel

15 June 2022 - Microsoft Teams Meeting

Attendees

Name	Organisation
Anne Heal	Chair, Non-executive Director, ORR
Diane McCrea	Consumer Expert Panel Member
Ray Kemp	Consumer Expert Panel Member
Carol Brennan	Consumer Expert Panel Member
Marie Pye	Consumer Expert Panel Member
James Walker	Consumer Expert Panel Member (except Ombudsman item)
Andrew Williams-Fry	Consumer Expert Panel Member
Helen Parker	Consumer Expert Panel Member
Mike Hewitson	Consumer Expert Panel Member and Transport Focus
Scott Hamilton	Office of Rail and Road (Ombudsman item only)
Mike Wikeley	Office of Rail and Road (PR23 item only)
Jay Symonds	Office of Rail and Road (PR23 item only)
Jacqui Russell	Office of Rail and Road
David Kimball	Office of Rail and Road (Consumer team update only)

Agenda

Item	Speaker	Time
Welcome	Anne Heal	13.00
1. Consumer Team Update	Jacqui Russell	13.10
2. Rail Ombudsman Operating Model	Scott Hamilton	13.20
3. Measuring consumer outcomes in PR23	Matt Wikeley	14.00
Closing remarks and AOB	Anne Heal	14.45
Close		15.00

Welcome and declarations of interest

1. Apologies were received from Trisha McAuley.
2. James Walker declared a conflict of interest in respect of the agenda item on the Rail Ombudsman, and left the meeting for that item.

Consumer Team Update

3. Jacqui Russell provided the panel with updates on two recent developments under Agenda Item 1.
4. Firstly: in early June, the Department for Transport had published its consultation on changes to primary legislation required to bring about rail reform, building on the William-Shapps Plan for Rail. The legislation establishes Great British Railways under a licence issued by the Secretary of State and enforced by ORR. Strong independent regulation sits at the heart of the Government's proposals, with ORR taking an integrated view across track and train and continuing to protect the interests of both users and taxpayer. ORR will continue to enforce consumer law and consumer-facing obligations in licences. The role of Transport Focus will be strengthened; ORR plans to develop on Memorandum of Understanding with both Transport Focus and London TravelWatch to clarify roles and responsibilities.

5. The panel noted the collaborative working already underway between DfT and ORR and indicated that it had started to think about its own role under the new proposals. It further noted that there is considerable further detail to be developed, highlighting in particular that progressing PR23 when the long-term trends in demand for rail travel are uncertain raises challenges.
6. Secondly: following the storms in February, the industry has been working collaboratively to identify lessons learned, particular around providing information to passengers, providing assistance, and ticketing and refund policies. They are now applying those lessons to the planning for the strike actions expected, and ORR are monitoring closely.
7. The panel welcomed the collaborative working by industry, flagged some specific questions around ticket refund policies, and discussed information provision on the strategic roads network which it expected would see heavier traffic.

Rail Ombudsman operating model

8. Scott Hamilton introduced agenda item 2. He explained that, under the Williams-Shapps Plan for Rail, ORR will take over sponsorship of the Rail Ombudsman from the Rail Delivery Group. This is expected to be implemented in early 2023, following a competitive tender process. To inform the tender process, ORR has been developing an operating model that aims to apply lessons learned from the current Rail Ombudsman and build on recent stakeholder feedback on how the scheme could evolve under ORR-sponsorship. A public consultation on a proposed operating model was to be launched later in June.
9. Panel members were invited to provide written comments on a draft operating model ahead of the meeting, which will be used to inform the public consultation and considered alongside wider consultation responses. The discussion at the meeting focussed on key themes arising from the written input, specifically:
 - The merits of a longer contract;
 - End of contract terms;
 - The consumer experience of the Ombudsman acting as a 'one-stop shop' or 'single front door' for appeals.

- Ensuring the Ombudsman has sufficient insight on the understanding users of its service, including those with protected characteristics under the Equality Act 2010.
- Ensuring the service is accessible and inclusive;
- Investigation of issues that are not yet giving rise to complaints and the roles of Transport Focus and London TravelWatch.
- The current timescales for resolution of complaints passed to the Ombudsman which the panel indicated that was too long at 40 working days; and
- The cost of the Ombudsman Board; the panel recommended paying Board members to attract high quality candidates.

10. Scott thanked the panel for its constructive feedback and indicated that its comments would be considered fully as the operating model and consultation are finalised.

Measuring consumer outcomes in PR23

11. Matt Wikeley introduced agenda item 3. He explained that, through PR23, ORR will define what Network Rail should deliver over the 5-year period 2024-29, taking into account Government decisions on funding and strategic steers on outcomes to be achieved. One key part of the process is determining the measures that ORR will use to hold Network Rail to account. A key challenge is that Network Rail is expected to transition to become part of Great British Railways (GBR) within this timeframe, and so ORR's approach needs to be sufficiently flexible to be able to respond to the broader remit of GBR. The panel's views on ORR's emerging measures for consumer outcomes were sought.

12. The Panel fully recognised the challenges of working in an evolving landscape as rail reform takes shape and new travel patterns emerge. They also noted that the transition to GBR, with its broader remit, should allow for a stronger more holistic focus on consumer outcomes, which is an opportunity that ORR can start to make the most of now.

13. Specific areas that the panel highlighted as being of interest to consumers and that they could not see fully reflected in the emerging thinking included:

- Overall customer satisfaction with the service provided and value for money;

- The quality and completeness of passenger information, including information about safety and carbon emissions to inform travel choices;
- Timelines for confirmation of timetables, which is the responsibility of the Network Rail System Operator. The panel suggested that ORR consider placing targets on the System Operator, as is now being taken forward in other sectors including energy;
- Sufficiency of service provision, including issues such as frequency and capacity of trains

14. The panel suggested that ORR could test for gaps in the outcome measures by taking the outcomes GBR should be delivering for consumers as a starting point, rather than building upon the current Network Rail measures.

15. Matt thanked the panel for its input and indicated its suggestions would be fully considered either ahead of the forthcoming consultation or in further development in the following stages of the PR23 process.

AOB & Close

16. The Panel welcomed the new approach of being asked to provide input in writing ahead of the meeting, and judged this to have led to a good discussion. The panel reflected on how the process could be optimised should the same approach be taken again in future.

Next Meeting: September 2022

END