



Consumer Expert Panel

21 June 2023 – Microsoft Teams meeting

Name	Organisation
Anne Heal	Chair, Non-executive Director, ORR
Ralitsa Hiteva	Consumer Expert Panel Member
Claudio Pollack	Consumer Expert Panel Member
Marie Pye	Consumer Expert Panel Member
Andrew Williams-Fry	Consumer Expert Panel Member
Helen Parker	Consumer Expert Panel Member
Sarah Chambers	Consumer Expert Panel Member
Mike Hewitson	Consumer Expert Panel Member and Transport Focus
Jacqui Russell	ORR
David Kimball	ORR
Matt Westlake	ORR (Item 2 only)
Vinita Hill	ORR (Item 2 only)
Claire Clark	ORR (Item 3 only)

Apologies

Kate Denham	Consumer Expert Panel Member
James Walker	Consumer Expert Panel Member

Item	Speaker	Time
Welcome	Anne Heal	14.30
1. Update on work of Consumer Team	Jacqui Russell	14.35
2. Meeting the equality duty	Matt Westlake	14.45
3. Research into disabled people's experience of complaints	Claire Clark	15.25
4. Automated delay repay	David Kimball	16.05
Closing remarks and AOB	Anne Heal	16.45

Notes

Welcome

- 1 Anne Heal welcomed the Panel. Apologies were received from Kate Denham and James Walker.

Update on the work of the consumer team

- 2 Jacqui Russell then provided an update on the consumer aspects of the 2023 Periodic Review of Network Rail's (NR) plans (PR23). Our PR23 draft determination sets out how we propose to hold NR to account for customer satisfaction and accessibility. GBRTT are establishing a new customer experience survey that will be used to monitor of passenger satisfaction with NR performance, and on accessibility we will hold NR to account for compliance with the Design Standards for Accessible Stations Joint Code of Practice and commitments they have made on the rollout of tactile paving and lift maintenance.
- 3 Jacqui also indicated that ORR had submitted written evidence to the Transport Select Committee inquiry into the regulatory framework for accessible travel, and that ORR would likely be invited to provide evidence to the oral sessions that had now commenced.

Meeting the Equality Duty

- 4 Matt Westlake introduced a paper setting out ORR's possible approaches to meeting its Public Sector Equality Duty (PSED) and invited the Panel to comment on these

options and consider what more ORR could be doing to ensure it fulfils its requirements in this area. Vinita Hill (ORR Director of Corporate Operations) introduced herself and added that ORR may be looking to do conduct its internal assessment differently this year.

- 5 The Panel offered the following comments:
- (a) Several members preferred the second of the options presented;
 - (b) The published document proposed could include more of the substance of the internal assessment;
 - (c) Rather than focus on compliance, equality should be embedded within ORR's business strategy, plans, activities and processes and used to challenge areas of the business where equality is not the current focus. Senior championing of equality is vital;
 - (d) Equality Impact Assessments need to extend beyond disability to consider the other protected characteristics and how they interact with each, and to set out what actions were identified and either completed or are still to be taken following the initial assessment;
 - (e) Transport for London, the Electoral Commission and the Bar Standards Board were mentioned as exemplars of a more advanced approach to embedding equality considerations within their businesses;
 - (f) The Panel invited ORR to consider how its activities improve outcomes for people with protected characteristics using the rail network.
- 6 Vinita and Matt thanks the Panel for their comments and indicated their desire to make use of current best practices from other organisations.

Research into disabled people's experience of complaints

- 7 **Claire Clark** introduced herself and invited comments on a paper setting out ORR's approach to researching disabled people's experience of complaints, following a recommendation from the Disabled Persons Transport Advisory Committee's response to ORR's 2022 consultation into the draft operating model for the next Rail Ombudsman.
- 8 Following a question from the Panel, Claire clarified that ORR's planned research is separate from any research to be undertaken by the Rail Ombudsman itself on the experience of escalated complaints, and that decisions had yet to be taken on (1)

whether the initial project would be followed by longer term regular data collection, and (2) whether requests for redress for failed assistance would be in scope of the research.

- 9 The Panel welcomed ORR's work in this area and offered the following comments:
- (a) CAA provides an example of good practice; social housing associations can provide good samples of disabled people;
 - (b) A measure of success for the research could be that train companies use insights from complaints to drive improvements, although it was recognised that disabled people want train companies to proactively identify issues rather than rely on complaints to do this;
 - (c) ORR should be creative and flexible in its research methodology; in particular, quantitative data (e.g. from social media) could be collected before surveying complainants in order to inform the questions asked. These questions should explore the different experiences of people with different disabilities and overall levels of satisfaction / dissatisfaction, including the barriers disabled people may face to making complaints; diary-keeping may be an alternative method of reporting people's experiences;
 - (d) Given these barriers, it may be necessary to sample passengers that do not complain.
- 10 Claire thanked the panel for their contributions and indicated she would follow up for more detailed advice on the methodological approach to be used.

Automated Delay Repay

- 11 David Kimball invited the views of the Panel on ORR's review into automated systems for processing delay compensation claims. This focused on the outcomes and speed of the automated process compared to manual processes. David was particularly interested in whether there were any other areas that should be considered in ORR's assessment?
- 12 The Panel members reflected on their individual experiences of making delay compensation and suggested particular improvements, such as simplifying and automating the process of making a claim, which research shows is what passengers want.
- 13 Several areas were suggested for further assessment:

- (a) Identifying any differences between the method of claiming;
- (b) Ensuring that the nature of the claims that are allocated to a manual versus those allocated to an automated process is properly reflected in our analysis of whether passenger outcomes are negatively impacted by automation.
- (c) Consideration of the likelihood of (1) making and (2) winning an appeal against the initial rejection decision when a claim is processed either manually or automatically.

14 The Panel also encouraged ORR to set out in its published report where train companies did not respond to ORR's request for information and to identify areas of good practice.

15 David thanked the panel for its comments.

Closing Remarks and AOB

16 Anne Heal thanked the members for their contributions.

17 The next meeting would take place on 29th September 2023.



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