

**Gerry Leighton**  
**Head of Stations & Depots and Network Code**  
Telephone 020 7282 2030  
Email [gerry.leighton@orr.gov.uk](mailto:gerry.leighton@orr.gov.uk)



**BY EMAIL ONLY**

27 July 2022

Chairman  
Delay Attribution Board  
Floor One, Mimet House  
5a Praed Street  
London  
W2 1NJ

**NOTICE OF APPROVAL OF AMENDMENTS TO THE APRIL 2022 DELAY ATTRIBUTION PRINCIPLES AND RULES**

1. This notice is given under Condition B2.7.2 of the Network Code. Terms defined in the Network Code have the same meaning in this notice. References in this notice to Conditions are references to Conditions of the Network Code.
2. On 13 July 2022 the Delay Attribution Board (DAB) submitted Proposals for Amendment to the Office of Rail and Road (ORR) in accordance with Condition B2.7.1.
3. The Secretary to the DAB has confirmed the reasons for the proposed amendments and these have been accepted by the DAB following the consultation process, as required by Condition B2.7.1.
4. For the purpose of Condition B2.7.2. ORR now gives notice to the DAB that it approves the Proposals for Amendment. All amendments included within the proposal will take effect from 18 September 2022.
5. The approved amendments to the Delay Attribution Principles and Rules are attached to this notice at Schedule 1.

A handwritten signature in blue ink, appearing to read 'Gerry', is positioned above the printed name.

**GERRY LEIGHTON**  
Duly authorised by the Office of Rail and Road



## Schedule 1

### **DAB P351**

Replace existing text in DAPR Section A5 (including the current sub-paragraphs A5.1 and A5.2) as below:

#### **A5 REVISIONS TO THE DELAY ATTRIBUTION PRINCIPLES AND RULES**

Any Track Access Party may propose revisions to the Delay Attribution Principles and Rules.

Proposed revisions must be documented on Template Form A (Proposal for Amendment Submission) and submitted to the Board for consideration via email (using the address [DABOffice@networkrail.co.uk](mailto:DABOffice@networkrail.co.uk)).

All Proposals will be subject to consultation to other Industry Track Access parties and require approval from both the Delay Attribution Board and the Office of Rail and Road prior to being incorporated in the document. However, it should be remembered that whilst the Delay Attribution Principles and Rules is part of the Network Code, it is also a working document.

It is therefore critical that all Proposals submitted for consideration are explicit about the precise wording changes as they will appear in the DAPR and a full justification for raising the proposal.

Guidance on completing the form can be found within the Template document itself. Readers are also referred to the Board's Process and Guidance Document PGD23 "Board Services and Process" which contains additional information on populating the forms and includes a breakdown of the process that each proposal undergoes prior to adoption in the DAPR.

~~Revisions should be made and submitted in writing as described in paragraph A4.3 above providing the following information:~~

- ~~The name of the sponsor (or sponsors if more than one sponsor is proposed) – sponsors can only be Access Parties. (Note: the ORR is also able to propose revisions, but a different process is applied when this occurs);~~
- ~~The proposal – this needs to be precise i.e. proposing to insert specific words, sentences, paragraphs or diagrams into the Delay Attribution Principles and Rules and or delete specific text or diagrams. To facilitate understanding when proposals are circulated for consultation there should be one proposal per existing paragraph in the Delay Attribution Principles and Rules, unless the proposal covers the replacement or insertion of multiple consecutive paragraphs and it is more sensible to submit the proposal as a whole.~~
- ~~Other implications; would the proposed amendment have an impact on other areas beyond the proposed change to the Delay Attribution Principles and Rules i.e. might the change result in a change of benchmarks or are there system implications?; frequency of event, and management information? Please note this is not an exhaustive list. If so the Sponsor should also suggest a proposed approach to addressing these areas;~~
- ~~An explanation as to why the proposal is being made including any associated benefits.~~

~~A5.2 Track Access Parties are reminded that whilst the Delay Attribution Principles and Rules is part of the Network Code it is also a working document. Proposals for revision should be made with this in mind. The Delay Attribution Board will consider if the proposal is fit for purpose (i.e. will be understandable to the users of the document) and may refer a proposal back to the Track Access Party if it is judged that this is not the case. Any specific rewording should be drafted in plain English.~~

**DAB P352**

**Retitle Section H from:**

**DEPOTS, YARDS, TERMINALS AND SIDINGS INCIDENTS**

To

**OFF-NETWORK LOCATIONS**

(ensuring the change is applied in both the Table of Contents and the heading at the start of Section H itself.)

**Retitle Clause H1 from:**

**Incidents affecting non-Network Rail network infrastructure**

To

**Definitions**

**Amend H.1.1. from**

For the purpose of this Section H, the term ‘off Network Rail network location’ relates to any non-Network Rail infrastructure such as Third Party Fleet Depots, Maintenance Depots, Yards, Terminals or Sidings.

To

For the purpose of this Section H, the term ‘off Network Rail network location’ relates to any non-Network Rail infrastructure not defined as an “Other Network” under paragraph H1.2. Off-network infrastructure will typically include Third Party Fleet Depots, Maintenance Depots, Yards, Terminals, Sidings and larger networks where there is no validated system of train movement reporting to TRUST.

**Add new paragraphs H1.2 and H1.3 as below:**

H1.2. – The above is distinct from “Other Networks”, which are also networks that are not part of Network Rail infrastructure but which are subject to ongoing validated train reporting at recognised Delay Recording Points. Some “Other Networks” may utilise the DAPR for attribution, but this is not always the case.

H1.3 –Details of the individual “Other Networks” and any locally-agreed attribution policies that may be in place within them are found in the Process and Guidance document PGD 22. The PGD provides guidance on whether the principles for off-network attribution can also be applied to the Other Network in question.

**Add new Paragraph H5 as below:**

**H5 Trains joining Network Rail infrastructure from Off-network passenger network without a reported origin time**

Wherever possible, confirmed origin times of trains commencing their journey at an off-network location must be reported into TRUST before any attempt to attribute a late arrival onto the Network Rail infrastructure is made. This is necessary to ensure that late starts at origin are not spuriously captured as losses in running between the origin and the Network Rail boundary.

However, in some cases no mechanism for obtaining a validated origin report is available, at least in real time. This is most likely to occur on off-network passenger networks where no automated SMART-based reporting exists and no dedicated personnel are resourced to observe and manually report these times.

In these cases, off-network delays must always be allocated to the operator of the train involved in the first instance, using delay code TX or FZ. This may be done by either:

- Interpolating origin departure times for each individual train that subsequently causes reactionary delay, based on the first validated report on the schedule (generally the boundary point where it joins the NR infrastructure)

OR

- Adding a “network delay” incident between the point of origin and the NR boundary in advance, which will enable delays to be auto-allocated to the train operator without the need to infill an origin time. This latter option may only be taken with local agreement from the Operator involved.

Following initial attribution, it may be possible that an operator is able to confirm a valid origin time for a train and that a late start was in reaction to an on-network prime cause in accordance with the reactionary delay principles documented in Section D5 (e.g., where a late start is confirmed as being in reaction to the late arrival of an inward service which had previously incurred delay on the NR network).

In such cases, delays should be reallocated to the relevant prime cause accordingly – bearing in mind the standard principles of completing such amendments within contractual timescales and ensuring that the owner of any incident that is subject to additional delay as a result of the amendment post Day 1 is made aware. Should a reattribution of delay in consequence of such a dispute be necessary, the relevant justification for this must be added to the incident receiving the delay by way of confirmation.

**Add new paragraph J.1.6 as below**

J1.6. Refer to Paragraph H5 for late starts from off the Network Rail network where no origin time is available.

**DAB 353**

**Addition of a note at the foot of Table N6.1 to clarify the definition of the “next departing service” in connection with identifying the correct coding for a passenger train service held for a connecting train when the principal cause of delay on the inward service is a FOC-owned incident.**

**Also to replace the word “principle” with “prime” in Clause N6.1.a for consistency.**

**N6 Passenger Connections Related Incidents**

**N6.1 Likely Situations**

No.	Circumstances	Delay Code	Incident Attribution
a.	Waiting passenger connections within the TOC/Network Rail Connection Policy, except where the <del>principle</del> prime incident causing delay to the incoming train is a FOC owned incident.	YL	Prime incident causing train to be late at that point
b.	Waiting passenger connections within the TOC/Network Rail Connection Policy, where the prime incident causing delay to the incoming train is a FOC responsibility incident and the next departing service is scheduled to depart 60 minutes	YL	Prime Incident causing incoming train to be late at that point.  If the next departing service is scheduled to depart less than 60 minutes after the train being

	or more after the train being held		held (connecting service) then a separate incident is to be created and attributed to Network Rail (OW/OQ**)
c.	Waiting passenger connections authorised by TOC but out-with TOC/Network Rail Connection Policy	RK/TM	Operator of train being held (R##*/T##*)
d.	Waiting passenger connection - not authorised	RI	Operator of train being held (R##*)

Note – The “next departing service” mentioned in Clause N.6.1.b, is defined as a passenger train that has been incorporated within the Plan for the Day.

The service must be planned to at least call at all the same stops that the delayed train is booked to call at for the definition to be met.....simply sharing a planned origin and termination point is not sufficient if the “next departing service” does not call at the same intermediate stations.

The “next departing service” cannot include:

- Rail replacement buses provided by a Train Operating Company – including ones included as part of an advertised plan.
- Public bus services operated outside of the rail Industry, even if they happen to serve the same locations as the delayed train.
- Ad hoc alternative transport (such as taxis) arranged by the industry to mitigate for unplanned disruption.

<b>DAB 354</b>		
<b>Introduce Delay code “XE” to Section S of the DAPR, covering emergency GSM-R calls emanating from outside of the Network Rail network and for which no track access party is responsible, as below.</b>		
XE	Emergency GSM-R call raised outside the Network Rail network but which brings trains running on Network Rail infrastructure to a stand (made by a non-track access party and/or in respect of a legitimate safety-related issue arising outside of NR Infrastructure which would have not prevented the passage of a train beyond the fact that it was within the coverage area of the relevant GSM-R cell at the time)	GSM-R EXT

<b>LNER001 – Trains delayed onto the network due to GSM-R infrastructure failures.</b>
<b>Amendments in bold</b>
DAPR “H3.3 Likely exceptions:
a) Infrastructure defect or problem on Network Rail network, <b>including with GSM-R network coverage</b> , affecting trains entering the Network Rail network”



<b>LNER002 – Incorrect train dispatch by station staff</b>
<p><b>Rename cause code R1 from</b></p> <p>“Incorrect train dispatch by station staff”</p> <p><b>to</b></p> <p>“Station staff dispatch issues including dispatch errors”.</p> <p>(Leaving the short description as “DISPATCH”)</p>

<b>LNER003 – RA Station Buildings and Facilities (incl Platforms)</b>								
<p><b>Reintroduce cause code RA for delays caused by “Station buildings and facilities (incl Platforms)”;</b>  <b>adding it to Section S with the abbreviation “STN BLDNGS”.</b></p> <p>NB. Cause code “RA” was formerly “Awaiting platform” and was removed from DAG (as was somewhere around 2007.</p> <p><b>AND</b></p> <p><b>Revise section N8.1 as follows (amendments in red)</b></p> <p>N8.1 Likely Situations</p> <p>Scenarios N8.1.a- N8.1.g below refer to scenarios where station issues solely prevent the access of passengers to/from a train. In the event that the incidents also prevent the normal operation of trains, joint responsibility criteria – as covered in Section D2 – are likely to apply</p>								
<table border="1"> <thead> <tr> <th>No.</th> <th>Circumstances</th> <th>Delay Code</th> <th>Incident Attribution</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td>Overtime to passenger train caused by failure of lifts or escalators</td> <td>RE</td> <td>Train Operator - separate Incident to be created for each directly affected (R##*)</td> </tr> </tbody> </table>	No.	Circumstances	Delay Code	Incident Attribution	a.	Overtime to passenger train caused by failure of lifts or escalators	RE	Train Operator - separate Incident to be created for each directly affected (R##*)
No.	Circumstances	Delay Code	Incident Attribution					
a.	Overtime to passenger train caused by failure of lifts or escalators	RE	Train Operator - separate Incident to be created for each directly affected (R##*)					

b.	Overtime to passenger train caused by failure of customer information systems	RV	Train Operator - separate Incident to be created for each directly affected (R##*)
c.	Failure of internal power supply to station structures or systems.	<del>RZ</del> RA	Train Operator - separate Incident to be created for each directly affected (R##*)
d.	Failure of external power supply to station structures or systems that does not affect the power supply for the operation of trains.	VZ	Train Operator - separate Incident to be created for each directly affected (V##*)
e.	Loss of station lighting	RA	Train Operator - one incident per affected operator
f.	Collapse of station building, roof or platform (unless caused by station flooding – see Q5.7 – or extreme weather).	RA	Train Operator - one incident per affected operator
g.	Gas leak originating within station confines	RA	Train Operator - one incident per affected operator
<del>e.</del> h.	Fire or fire alarm at station	See Section Q8	As per Section Q8
<del>f.</del> i.	Security alert	See Section Q7	As per Section Q7

<b>NR P216</b>			
<b>Amend DAPR Clause O.18.4.b so that specified code “JA” is clarified as for use exclusively in connection with TSR’s relating to track work, that JD should be used in connection with TSR’s covering structures and the code appropriate to the asset for any other TSR’s as below:</b>			
b.	Published TSR in connection with planned maintenance or renewal Engineering Work that is <b>not</b> covered by sufficient Engineering Allowance within the train’s schedule.	JA (for Track Work)  JD (for Structures work)  Or as appropriate to any other asset	Network Rail (IQ**)
<b>AND</b>			
<b>Amend DAPR Clause O.18.4.c so that is no longer refers to Temporary Speed Restrictions relating to Structures. Also remove the codes IR and IS from the “Delay Code” field as below:</b>			
c.	Where <del>a TSR</del> or an ESR has been imposed due to possession work not being completed or is more restrictive than that planned.  (Only where the restriction did not exist prior to the possession)	As appropriate to resulting condition causing ESR <del>(IR/IS)</del>	Network Rail (IQ**)
<b>AND</b>			
<b>Amend DAPR Clause O.18.4.g so that is no longer covers Temporary Speed Restrictions relating to Structures as below:</b>			
g.	Published TSR due to condition of track <del>or structure</del> (not Engineering Work related) which is covered by	JS	Network Rail (IQ**)

sufficient Engineering Allowance is within the train's schedule <b>but</b> published rectification date has passed and the restriction is no longer covered by an Engineering allowance.		
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