

To: Gerry Leighton,
Head of Stations & Depots and
Network Code
Office of Rail Regulation
One Kemble Street
London
WC2B 4AN

From: Ana Maria Sanchez
DAB Secretariat Support
Delay Attribution Board
Floor 8
One Eversholt Street
London
NW1 2DN

cc: Richard Morris
Chairman,
Delay Attribution Board.

Tel: [REDACTED]

Email: [REDACTED]

Date: 16th April 2015

Submission of proposals for change to April 2015, Delay Attribution Guide (DAG)

Dear Gerry,

I am writing seeking approval for proposed changes to the Delay Attribution Guide in accordance with Track Access Condition B2.7.2.

Please find appended to this letter details of the following Proposals for Change requiring approval, although, your office is also being informed of proposals which have been rejected by the DAB – for your information:

- EC/P002 – Attribution of delays due to TRTS failure
- NR/P159 – Attribution of delays due to signalling/scheduling delays in automatic route setting system
- NR/P160 – Attribution of delays within yards and terminals
- NR/P161 – Attribution of delays due to flooding
- NR/P162 – Attribution of delays due to industrial action
- NR/P163 – Attribution of delays due to schedule errors
- NR/P164 – Attribution of delays caused by an RHTT being involved in a SPAD
- NR/P165 – Attribution of delays caused by an erroneous safety report
- NR/P166 – Attribution of delays caused by an erroneous plan
- DAB/P236 – Attribution of delays caused by GSM-R failure

The details for each proposal consist of the following information:

- 1** The Proposal for Change from the sponsor.
- 2** A list of the industry responses to the Proposal for Change.
- 3** The DAB decision and consideration of the responses from the industry.

The proposals for amendment to the Delay Attribution Guide were put out to Industry Parties for formal consultation in accordance with Track Access Condition B2.5.2. The deadline for Industry responses was 27TH March 2015. A number of Industry Parties responded to the consultation process and these responses are included in this submission.



Delay Attribution Board
Floor 8
1 Eversholt Street
London
NW1 2DN

All decisions made by the Board have been unanimous. A copy of the minutes of the meetings where the proposed amendment was agreed/rejected is available should you require them.

I await your advice on whether you approve the amendment proposed. Finally, in accordance with Track Access Condition B2.7.1, the Board has agreed that any changes approved by the Regulator should come into effect 19th September 2015

Should you wish to discuss any aspect of this submission or the proposals for that matter, please do not hesitate to contact me as detailed above.

Kind regards,

A handwritten signature in black ink, appearing to read 'Ana Maria Sanchez', is written over a light pink rectangular background.

Ana Maria Sanchez, BA(Hons)

PA to DA Board Secretary
Mark Southon



Proposal reference Number:	EC/P002	NR/P159	NR/P160	NR/P161	NR/P162	NR/P163	NR/P164	NR/P165	NR/P166	DAB P236
Company Organisation										
Abellio Greater Anglia										
Arriva Trains Wales										
c2c Rail Ltd *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Chiltern Railways *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Colas Rail										
DB Regio Tyne & Wear										
DBSchenker										
Devon & Cornwall Railways										
Direct Rail Services *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
East Midland Trains										
Eurostar International										
First / Keolis Transpennine *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
First Greater Western *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
First Hull Trains										
Freightliner										
GB Railfreight										
Govia Thameslink Railway *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Grand Central Railway										
Harsco Rail										

Proposal reference Number:	EC/P002	NR/P159	NR/P160	NR/P161	NR/P162	NR/P163	NR/P164	NR/P165	NR/P166	DAB P236
Heathrow Express										
London Midland										
London Overground										
Merseyrail										
North Yorkshire Moors										
Northern Rail *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scotrail *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Southeastern Railway *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Southern										
Stagecoach South West										
Virgin Trains (West Coast)*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Virgin Trains East Coast *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
West Coast Railway *	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
XC Trains										
Network Rail	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Responses identified with an (*) were provided via the DAMG										

**PROPOSALS FOR CHANGE TO THE
DELAY ATTRIBUTION GUIDE
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INDUSTRY FEEDBACK**

Consultation closed – 27th March 2015

Originators Reference Code / N ^o	EC/P002 "TRTS"
Name of the original sponsoring organisation(s)	Jim Pepper, Delay Attribution Manager East Coast Mainline Company Ltd.
Exact details of the change proposed	Add additional 4.16.16 4.16.16 The code J2 should be used for TRTS failure or circumstances where the TRTS is not registered or received in the relevant signalling control centre (where activation by despatch staff is demonstrated)
Reason for the change	<p>TRTS "Train Ready To Start" buttons are located on a great many platforms across the national rail network. They are part of the signalling system and linked to indicator lights on the relevant Signaller's panel and are pressed by station staff or train crew to tell the box that a train is ready to depart. Without the TRTS being received, the platform signal will not be set to a proceed aspect and train despatch cannot commence safely</p> <p>TRTS appears by name just once in the body of the latest (October 2014) edition of the Delay Attribution Guide in Section 4.28 "Station Operating Delays" "<i>Overtime due to late TRTS being given by station staff</i>" and are coded R2.</p> <p>Delays due to confirmed TRTS faults are found only in Appendix 7J (coded J2).</p> <p>However, there are frequently delay incidents wherein station staff/traincrew report the correct button on the platform has been pressed, at the correct time and for the correct duration, yet Signallers report the impulse was not received in the box. The pressing can be confirmed by CCTV or corroborated by witnesses, but CCF replay or testing by engineer cannot fault the button.</p> <p>East Coast's position is that this set of circumstances the principles from DAG 4.25 "Where parties have agreed that all reasonable efforts had been made to investigate the cause of delay" should apply;</p> <p>As the TRTS is part of the signalling and telecommunications equipment and wholly infrastructure based, the responsibility for it is Network Rail's.</p> <p>J2 is suggested as if the TRTS has failed to register / not received</p>



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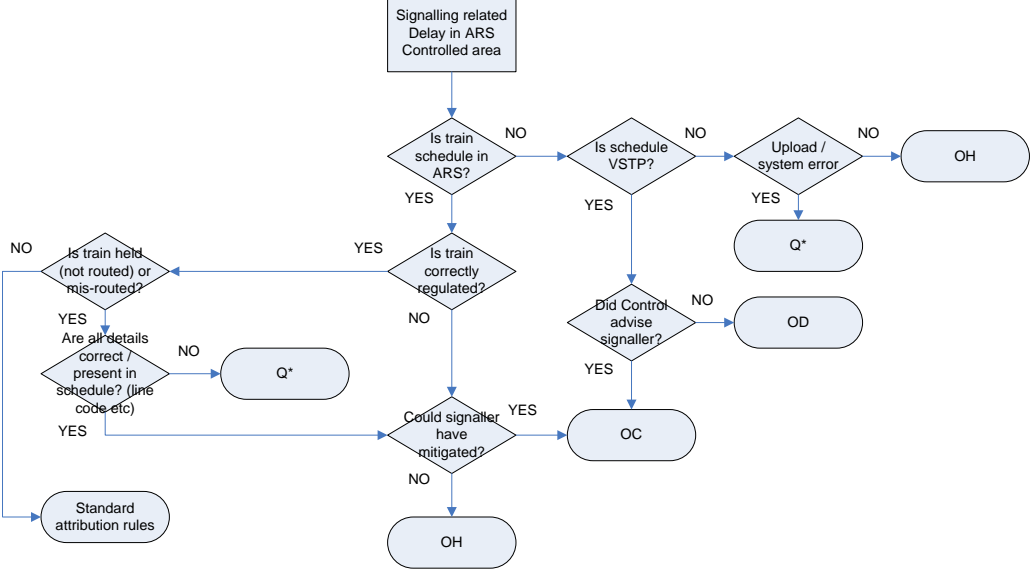
	<p>in the relevant signal box (and it is demonstrated that it was pressed) there must be a fault even if the cause is not identified. This is in line with other DAG examples such as signal anomalies no fault found going to IA</p>
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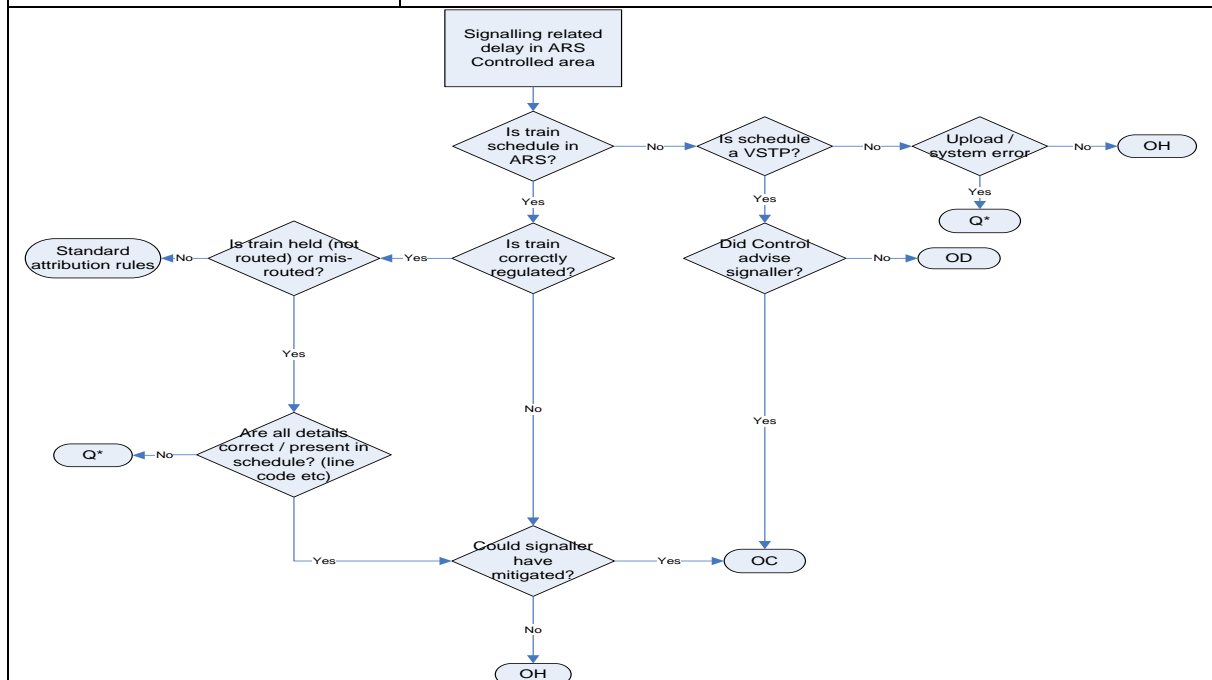
EC/P002

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	We accept the proposal for change as we believe the change will add guidance where none currently exists. It will assist with earlier accurate allocation. Any changes in responsibility will be immaterial as the guidance will assist in the reduction in disputes, reducing variability in the final attribution.
Network Rail	<p>NR agrees with the change but questions how we are reasonably to know that the TRTS has been pressed but not registered or received. What level of evidence should be sought or offered as proof? If it is not working do we need evidence that it has been faulted appropriately?</p> <p>Perhaps DAB needs to agree some additional words based on the questions above.</p>
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>DAB supports the proposal but agreed that to support this change a briefing note detailing the use of TRTS as well as how to investigate TRTS related events ('demonstration of use' particularly) would be provided.</p> <p>DAB would then monitor when the investigation process was being used incorrectly and seek to resolve that error.</p>

Originators Reference Code / N ^o	NR/P159 – Signalling/Scheduling delays in ARS controlled areas
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p>To add new entry under 4.23.6 to cover signalling / scheduling delays in ARS controlled areas</p> <p>4.23.6 Flowchart covering signalling delays in ARS controlled areas. It is expected that any delays caused by schedules that are not compliant with the Train Planning Rules (i.e. don't work) are dealt with under section 4.31</p>
 <pre> graph TD Start([Signalling related Delay in ARS Controlled area]) --> D1{Is train schedule in ARS?} D1 -- NO --> D2{Is schedule VSTP?} D1 -- YES --> D3{Is train held (not routed) or mis-routed?} D2 -- NO --> D4{Upload / system error?} D2 -- YES --> D5{Did Control advise signaller?} D3 -- NO --> Q1([Q*]) D3 -- YES --> D6{Are all details correct / present in schedule? (line code etc)} D4 -- YES --> Q2([Q*]) D4 -- NO --> OH1([OH]) D5 -- NO --> OD([OD]) D5 -- YES --> OC([OC]) D6 -- NO --> Q1 D6 -- YES --> D7{Could signaller have mitigated?} D7 -- YES --> OC D7 -- NO --> OH2([OH]) D8([Standard attribution rules]) --> D3 </pre>	
Reason for the change	<p>To clarify an area that is often debated internally to Network Rail by train planning and local Operations and as a result is an area of attribution and resolution inconsistency.</p> <p>This proposal has been progressed through the Network Rail Route Performance Measurement Manager’s Group emanating from common and recurring areas of resolution discussions that the group felt need proper clarity</p> <p>Clarity in the DAG would remove the dubiety of the common issues involving ARS, reduce time spent in disputing, debating and improve consistency of attribution in this area as well as incentivising the relevant parties to improve their element of the process.</p>

NR/P159

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	<p>We accept the proposal for change, as we believe the change will add clarity to the attribution in relation to signalling of trains in ARS areas.</p> <p>The PFC mentions “is train correctly regulated”, however this appears to be a non-defined statement within DAG and as such DAG would benefit from this term being clarified.</p>
Network Rail	Network Rail accept the proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>DAB supports the proposal</p> <p>In response to the comment made by the DAMG. There is a separate proposal for change to the DAG, which aims to provide guidance on regulation. This proposal aims to clarify how to attribute delays caused by the ARS system.</p>



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Originators Reference Code / N ^o	NR/P160 – Yards and Terminals							
Name of the original sponsoring organisation(s)	Network Rail							
Exact details of the change proposed	<p>To move entry 4.2.2 (f) to section 4.44 and to reference section 4.44 within section 4.2.2</p> <p>Remove 4.2.2(f)</p> <p>Add a new 4.2.2.3</p> <p>4.2.2.3 For delays associated with Network Yards and Terminals please refer to section 4.44</p> <p>Add a new 4.15.4</p> <p>4.15.4 For delays associated with Network Yards and Terminals please refer to section 4.44</p> <p>Add 4.44.2(e)</p> <table border="1" data-bbox="577 972 1361 1330"> <tr> <td>e.</td> <td>Incident within a Network Yard or Terminal causing trains to be delayed entering or leaving that Network Yard or Terminal.</td> <td>Appropriate code</td> <td>Principal Incident causing train to be delayed.</td> </tr> </table> <p>Add a new 4.44.3</p> <p>4.44.3 For delays associated with Off Network Yards and Terminals please refer to section 4.2 and 4.15</p>				e.	Incident within a Network Yard or Terminal causing trains to be delayed entering or leaving that Network Yard or Terminal.	Appropriate code	Principal Incident causing train to be delayed.
e.	Incident within a Network Yard or Terminal causing trains to be delayed entering or leaving that Network Yard or Terminal.	Appropriate code	Principal Incident causing train to be delayed.					
Reason for the change	<p>The current 4.2.2(f) relates to Network Terminals and Yards within the Off Network section. This entry would be better placed under the recently introduced 4.44 relating particularly to Network Yards and Terminals for clarity and consistency</p> <p>Additionally, as sections 4.2.2, 4.15 and 4.44 relate to yards and terminals a direction note under 4.2.2 and 4.15 to the newly introduced and similar 4.44 should be added</p> <p>It is felt that links to similar / related sections within the DAG is deemed useful to the document users to ensure all relevant parts are utilised in attribution and resolution</p>							

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NR/P160

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	We accept the proposal for change, noting the change is exclusively for clarity purposes and as such includes no material change in responsibility
Network Rail	Network Rail accept the proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board supports the proposal.</p>

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Originators Reference Code / N ^o	NR/P161 - Flooding
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p>Add additional wording / reference to 4.14.2 to read..</p> <p>4.14.2 Where widespread flooding occurs, disrupting other forms of transport, such as closure of a number of major roads, or where trains are delayed as the result of the Route Flood Prevention Procedure, the incident should be coded to (X2, XQ**). For further guidance on flooding due to weather please refer to section 4.37.5b</p>
Reason for the change	<p>For clarity and assistance to ensure users of the DAG reference all relevant parts for attribution and resolution of flooding incidents.</p> <p>This proposal has been progressed through the Network Rail Route Performance Measurement Manager’s Group emanating from common and recurring areas of resolution discussions.</p>

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NR/P161

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	We accept the proposal for change, noting the change is exclusively for clarity purposes and as such includes no material change in responsibility.
Network Rail	Network Rail accept the proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board supports the proposal.</p>

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Originators Reference Code / N ^o	NR/P162 Union Action			
Name of the original sponsoring organisation(s)	Network Rail			
Exact details of the change proposed	Add new scenario to 4.20.3			
	w	Union directive or industrial action causing un-planned delays	Appropriate delay code to function employing the staff taking action	As appropriate to delay code and responsible party
Reason for the change	<p>Pre-emptive entry for the DAG to cover circumstances whereby a union may directly request action by its members that is not sanctioned by Operators / Network Rail such as a ‘work to rule’ or ‘action short of a strike’ scenarios.</p> <p>Recent proposed action over GSMR / cab radios gave rise to conversations in the performance world as to where delays caused by such action would sit and referencing the DAG showed no specific guidance.</p> <p>Pre planned strikes are usually mitigated with agreed plans in the system and therefore not usually an issue but action ‘on the day’ will cause un planned delays.</p> <p>It is believed that codes such as FG, TR and TW are not appropriate in this circumstance for Operators.</p> <p>Proposal is for it to be added to the Safety section of the DAG as it is expected that any action taken would be related to safety concerns</p>			

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Consultation closed – 27th March 2015

NR/P162

Company Organisation	Comments				
DAMG - on behalf of the identified companies as per page 1	<p>We accept the proposal for change, based on changes below being made</p> <p>The proposal suggests “to the function employing the party taking action”, being amended with words along the lines of “to the access party for whom the party taking action is contracted to, at the time of the delay occurring”.</p> <p>The current wording is contradictory to “traded services” guidance based on the following: Train operator A employs a Driver, who they lease to operator B. A’s union introduces a directive that causes delay whilst the Driver is working for B. As the Driver is employed by A the delay would be coded to A, when the intent is that it should be the responsibility of B</p>				
Network Rail	Network Rail accept the proposal				
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The DAB incorporated the intent of the wording suggested by the DAMG as it was agreed that a union directive is not always safety related. It was also suggested that the proposed wording within the 3rd column be changed to “To whom the access party taking action is contracted to, at the time of the delay occurring”. As, it could be one party that employees the party but they may be contracted to another company at the time of the delay.</p> <p>Add new scenario to 4.20.3</p> <table border="1" data-bbox="624 1659 1414 1975"> <tr> <td data-bbox="624 1659 767 1975">w</td> <td data-bbox="767 1659 995 1975">Union directive or industrial action causing un-planned delays (including non-safety issues).</td> <td data-bbox="995 1659 1224 1975">Appropriate delay code to the function to whom the party taking action is contracted to at the time of the delay occurring.</td> <td data-bbox="1224 1659 1414 1975">As appropriate to delay code and responsible party</td> </tr> </table>	w	Union directive or industrial action causing un-planned delays (including non-safety issues).	Appropriate delay code to the function to whom the party taking action is contracted to at the time of the delay occurring.	As appropriate to delay code and responsible party
w	Union directive or industrial action causing un-planned delays (including non-safety issues).	Appropriate delay code to the function to whom the party taking action is contracted to at the time of the delay occurring.	As appropriate to delay code and responsible party		

Originators Reference Code / N ^o	NR/P163 – Day 2 train plan
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p>Rewording of sections 4.31.1 and 4.31.2</p> <p>4.31.1 This section reflects the responsibility of and requirement on Network Rail to produce a validated train plan, paths and schedules for all services operating on the Network.</p> <p>4.31.2 All schedule errors contained within TRUST are the responsibility of Network Rail. They should be validated prior to uploading. This is irrespective of Operator access requests or any incidents causing the need for revised plans or schedules to be produced. Likely circumstances and coding are as follows:</p>
Reason for the change	<p>For clarity regarding the responsibility of Network Rail to ensure the train plan / paths / individual schedules are validated and error free prior to uploading into the system</p> <p>This proposal has been progressed through the Network Rail Route Performance Measurement Manager’s Group emanating from specific incidents that have been debated over the last 3 months</p> <p>A common misconception is for plans and schedules amended either by train planning or Route Control in reaction to an incident – particularly ‘day 2’ or ‘Day A for B’ plans. Whilst the need for the schedule alterations is indeed the incident, the resulting delays from any errors in that re-planning should still reflect the prime cause of the planning error. This is pivotal in ensuring the impact of the ‘plan’ is recognised in any incident reviews and can thus be improved in the future.</p>

NR/P163

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	<p>We accept the proposal for change, with the following caveat that the rewording can now be confused with 4.31.2 <i>note</i> and needs to be resolved</p> <p>As the new words in 4.31.2 are absolute and the words in the <i>note</i> are absolute, the words “if the delay cause is due to the operators documentation not corresponding with the uploaded schedules” need to be updated to “if the delay cause is due to the operators documentation not corresponding with the uploaded schedules, and no error has been made with the uploaded schedule” as by their nature if a schedule is incorrectly uploaded it will not match to what was bid for.</p>
Network Rail	Network Rail accept the proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board approved this proposal.</p> <p>The DAMG comment regarding the ‘note’ under 4.31.2 was noted as an issue that already exists and a separate amendment to that ‘note’ will be made</p>

Originators Reference Code / N ^o	NR/P164 – RHTT SPAD										
Name of the original sponsoring organisation(s)	Network Rail										
Exact details of the change proposed	<p>Add note at foot of section 4.3.7.1</p> <p>(Note that Safety of the Line incidents involving RHC trains are normally the responsibility of the Operator whose Safety Case the train is operating under and not Network Rail for who the trains are running)</p> <p>Add new clause in section 4.3.7.2</p> <table border="1" data-bbox="577 922 1361 1173"> <tr> <td>d</td> <td>Signal passed at danger by a railhead conditioning train</td> <td>See 4.20.3 (r – u)</td> <td>Final attribution to be based on investigation and cause identified</td> </tr> </table> <p>Amend / clarify 4.26.2</p> <p>4.26.2 Network Rail is responsible for the operation of RHC trains on the network to assist with adhesion in the autumn period. Although Network Rail contracts this work to Train Operators or other suppliers, it is Network Rail who is normally responsible for delays associated with RHC train operation. The exception to this is Safety of the Line incidents such as SPADs which should remain the responsibility of the Operator of that train.</p> <p>Add new clause in section 4.26.3</p> <table border="1" data-bbox="577 1594 1361 1845"> <tr> <td>i</td> <td>Signal passed at danger by a railhead conditioning train</td> <td>See 4.20.3 (r – u)</td> <td>Final attribution to be based on investigation and cause identified</td> </tr> </table>			d	Signal passed at danger by a railhead conditioning train	See 4.20.3 (r – u)	Final attribution to be based on investigation and cause identified	i	Signal passed at danger by a railhead conditioning train	See 4.20.3 (r – u)	Final attribution to be based on investigation and cause identified
d	Signal passed at danger by a railhead conditioning train	See 4.20.3 (r – u)	Final attribution to be based on investigation and cause identified								
i	Signal passed at danger by a railhead conditioning train	See 4.20.3 (r – u)	Final attribution to be based on investigation and cause identified								
Reason for the change	<p>Although rare, RHTT / MPV treatment train SPADs have happened and with each occurrence questions are asked by attribution staff as to whether this event comes under ‘operation of the treatment trains’ (Network Rail) or remains a safety issue for the Operator of that train.</p> <p>Historically SPADs involving treatment trains have been</p>										

	<p>attributed appropriately and correctly as per 4.20.3. However an entry in both the autumn and Railhead Conditioning Trains sections (4.3 and 4.26 respectively) of the DAG referring the user to 4.20.3 is deemed appropriate as history has shown attribution staff are making the event 'fit' into the autumn guidance 4.3.7.1(c)</p> <p>This proposal has been progressed through the Network Rail Route Performance Measurement Manager's Group emanating from specific incidents that have been debated over the last 3 months</p> <p>This clarity removes dubiety and rework and reattribution to Operators post day 1</p>
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NR/P164

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	DAMG on behalf of the identified companies accepts this proposal.
Network Rail	Network Rail accept the proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board approved this proposal.</p>

Originators Reference Code / N ^o	NR/P165 No Fault safety report										
Name of the original sponsoring organisation(s)	Network Rail										
Exact details of the change proposed	<p>Add new 4.24.2</p> <p>4.24.2 The principles of attribution within this section are that attribution responsibility will be to the owner of the reported fault or safety issue and NOT to the person (staff or public) that reported the issue should it be proven to be a mistaken report.</p> <p>Renumber subsequent 4.24.2 and 4.24.3</p> <p>Add additional wording to (current) 4.24.2 scenarios l (L) and m</p> <table border="1"> <tr> <td>l.</td> <td>The Train Operator staff are unable to find the reported train-related safety problem or can prove the report to be false.</td> <td>FZ, M9 or TZ as appropriate to type of train</td> <td>Operator of train concerned (F##*, M##* or T##*).</td> </tr> <tr> <td>m.</td> <td>Network Rail staff are unable to find the reported infrastructure related safety problem or can prove the report to be false.</td> <td>J4 or as appropriate to reported problem</td> <td>Network Rail (IQ**)</td> </tr> </table>			l.	The Train Operator staff are unable to find the reported train-related safety problem or can prove the report to be false.	FZ, M9 or TZ as appropriate to type of train	Operator of train concerned (F##*, M##* or T##*).	m.	Network Rail staff are unable to find the reported infrastructure related safety problem or can prove the report to be false.	J4 or as appropriate to reported problem	Network Rail (IQ**)
l.	The Train Operator staff are unable to find the reported train-related safety problem or can prove the report to be false.	FZ, M9 or TZ as appropriate to type of train	Operator of train concerned (F##*, M##* or T##*).								
m.	Network Rail staff are unable to find the reported infrastructure related safety problem or can prove the report to be false.	J4 or as appropriate to reported problem	Network Rail (IQ**)								
Reason for the change	<p>A common debate particularly with internal parties to both Network Rail and Operators is the issue relating to proving the safety report against the train or infrastructure is wrong. In terms of attribution this makes no difference as all reports are ‘in good faith’.</p> <p>This proposal has been progressed through the Network Rail Route Performance Measurement Manager’s Group emanating from common and recurring areas of resolution discussions that the group felt need proper clarity, whilst taking the opportunity to also reflect a similar position for Operators to keep the entries consistent</p> <p>This proposal seeks to clarify that position to enable more efficient attribution and resolution of parties’ internal incidents thus related.</p>										

**PROPOSALS FOR CHANGE TO THE
 DELAY ATTRIBUTION GUIDE
 April 2015 Edition
 INDUSTRY FEEDBACK**

Consultation closed – 27th March 2015

NR/P165

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	DAMG on behalf of the identified companies accepts this proposal.
Network Rail	Network Rail accept the proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board approved this proposal.</p>

**PROPOSALS FOR CHANGE TO THE
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Consultation closed – 27th March 2015

Originators Reference Code / N ^o	NR/P166 Plan of the day
Name of the original sponsoring organisation(s)	Network Rail
Exact details of the change proposed	<p>Add additional note under section 3.1</p> <p>3.1.5 All attribution should be based on, and made against, the agreed 'plan' for the day in question. For Passenger Operators this is referred to as the Applicable Timetable which is the plan as agreed by 22.00 on the day prior to the trains operation.</p> <p>Renumber current 3.1.5 and 3.1.6</p>
Reason for the change	<p>Clarity deemed required to ensure all parties refer to the plan of the day.</p> <p>This proposal has been progressed through the Network Rail Route Performance Measurement Manager's Group emanating from common and recurring areas of resolution discussions that the group felt need proper clarity.</p> <p>Sometimes debates are had on prime causes linking to changes in the plan that are in fact planned but not noticed or factored into subsequent plans</p> <p>For example a change to a train's schedule not reflected in a signaller's A and D book is the responsibility of the author of the A and D book and not the Operator who changed their booked plan. Likewise any service alterations planned by one Operator impacting passenger levels on another should be the responsibility of the Operator affected not that which altered their plan.</p> <p>In essence attribution should not be linking a delay that occurs on one day to something that was pre-planned the day before. The cause is the failure to mitigate that change.</p>

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Consultation closed – 27th March 2015

NR/P166

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1	We accept the proposal for change,
Network Rail	Network Rail accept the proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board approved this proposal.</p>

Originators Reference Code / N ^o	DAB/P236 – Attribution of GSM-R incidents - NFF						
Name of the original sponsoring organisation(s)	DAB (GSM-R Sub Group)						
Exact details of the change proposed	<p>Amend Flowchart 4.42.1 First Decision Box to:-</p> <p>Amend Flowchart 4.42.1 Bottom Result Box to:-</p> <p>Amend Note supporting 4.42.1 flowchart to:-</p> <p>(Note – For agreed No Fault Found please refer to 4.42.2 (o))</p> <p>Amend entry ‘o’ in table 4.42.2 to:-</p> <table border="1" data-bbox="459 1420 1401 1635"> <tr> <td>o)</td> <td>GSM-R signal on a train is lost and both parties agree that the investigation is concluded and no cause has been identified (no other trains affected in that section)</td> <td>J0 (zero)</td> <td>Network Rail (IQ**)</td> </tr> </table> <p>Add Note under table in 4.42.2:-</p> <p>(Note – Where investigations are incomplete, attribution should be made to the party from which the required information was not provided)</p> <p>Remove GSM-R entry from table 4.25.4</p> <p>Add Note under table in 4.25.4:-</p> <p>(Note – For GSM-R No Fault Found, please refer to DAG Section 4.42)</p>			o)	GSM-R signal on a train is lost and both parties agree that the investigation is concluded and no cause has been identified (no other trains affected in that section)	J0 (zero)	Network Rail (IQ**)
o)	GSM-R signal on a train is lost and both parties agree that the investigation is concluded and no cause has been identified (no other trains affected in that section)	J0 (zero)	Network Rail (IQ**)				
Reason for the change	This proposal comes in response to, and as an output from, DAB discussions on						

	<p>GSMR related delays and a previous Proposal for Change (FGW/01 – GSM-R).</p> <p>It was agreed for a DAB Sub Group to rework the FGW Proposal taking in current understanding and to work GSM-R No Fault Found into the DAG more appropriately without unduly impacting other aspects of the DAG but agreeing the principle of altering (agreed) no fault found to Network Rail responsibility.</p> <p>GSM-R suggested to be removed from 4.25 (No fault found) as it is agreed that although it is not solely infrastructure based, the conditions for a No Fault Found when they genuinely occur, should be the responsibility of Network Rail. The current 4.25 thus does not support this principle and the current coding to IN would be inappropriate. Rather than rewriting the whole of 4.25 to reflect this one anomaly it is felt removing GSM-R (but referencing it) is the clearer option for DAG users.</p> <p>Clarifying note included in 4.42.2 to cover incomplete investigations to ensure incentives remain to jointly investigate.</p> <p>Appropriate alterations to flowchart in 4.42.1 to be clearer and to prescribe that the last box (M9 / M##*) is not a definitive coding, but a temporary code pending final resolution</p>
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DAB/P236

Company Organisation	Comments
DAMG - on behalf of the identified companies as per page 1.	DAMG on behalf of the identified companies accepts this proposal.
Network Rail	Network Rail accept the proposal
DAB DECISION	<p>The Board when reaching its decision at the 14th April board meeting, considered the industry consultation feedback and the reasoning provided within the original proposal prior to considering the same for submission for ORR approval.</p> <p>The Board approved this proposal as provided within the original submission.</p>