

**John Larkinson**  
**Chief Executive**



Managing Directors  
Train Operating Companies  
By email only

20 May 2020

Dear Colleague

## **Holding Train Operating Companies to account during the coronavirus pandemic**

Let me start by thanking you, and your staff, for the work and commitment being shown to ensure that train services continue to operate. We recognise the crucial role played by train operators in ensuring that key worker and other essential travel needs are met at this challenging time.

As you will be aware, ORR proactively monitors train operators' adherence to our consumer-related regulatory requirements. We understand the challenges faced by the industry during the coronavirus pandemic, which has impacted on the ability of operators to consistently meet some of these obligations.

When the government advised people against non-essential travel and the reduced timetable was introduced, many operators were already making arrangements to ensure that they continued to best meet the needs of passengers. At this point, ORR staff contacted their counterparts within operating companies to acknowledge the current situation, and give reassurance about how we would approach compliance with requirements.

In particular, we asked to be kept informed of the steps they were taking to maintain an appropriate level of customer service and where this was the case, we confirmed that we would be pragmatic and reasonable in our response while ensuring that the customer interest was uppermost. I can confirm to you that this remains the case. This letter provides more detail on our approach during this time.

### **Accessibility**

We welcome the commitment to helping disabled and older people with their journeys at this difficult time. There has been an understandable focus on ensuring that staff can work, and passengers can travel, safely. It is important that where travel is necessary, disabled passengers requiring assistance are equipped with the information they need to travel successfully. The consistency of information and assistance provision to disabled passengers is a key area and we will be monitoring train operators' approach to assistance provision against the latest industry guidance.

We expect to have approved nearly all train operators' policies against the requirements of the new Accessible Travel Policy (ATP) guidance by the end of May. We recognise that there may be delays in implementing some of the new obligations due to the pandemic. In particular, we have paused our work on the reliability handover trial. We have also paused our research to survey the information provided by station help points. We are also cognisant of the impact the Emergency Measures Agreements may have on train operators.

Nevertheless, there are key areas of the new ATP Guidance, which should continue to be progressed and implemented, namely on staff training, and the accuracy of station information available on the National Rail Enquiry (NRE) and train operator websites. In particular:

- All operators are required to submit a staff training progress report by 31 July, which includes evidence of what is being done to meet the ATP training requirements; we have already seen some innovation in this area from operators using MSTeams to deliver training to staff working at home; and
- On information provision, we will shortly be carrying out desktop monitoring, which will focus on the accuracy, consistency, quality and format of station information available on a train operator's website and on the NRE website.

We will continue to work with each operator on an individual basis to understand what can reasonably be delivered at the current time.

### **Passenger information**

As services ramp-up following the timetable change, the need to provide timely and accurate information will become increasingly important for those with essential travel needs. This includes information about closures and restricted hours of ticket offices. We will continue to monitor the information available to passengers and will follow-up directly with train operators where we identify issues.

As you are aware, following the publication of our passenger information research in January, we asked the industry to work as one to develop an action plan designed to deliver tangible and enduring improvement, and to work with us to complete a Customer Information Model (CIM), which will allow performance in individual train operators to be assessed and progress monitored. We have taken a pragmatic approach to the delivery of both actions. We are working with Network Rail, train operators and RDG to develop the CIM over a longer timeframe, and have taken account of the extra time needed for finalisation of the industry action plan, which will now be provided to ORR in late June.

### **Complaints handling / delay compensation and ticket refunds**

We recognise that the maintenance of customer service functions has proved challenging because of the loss of staff due to sickness and self-isolation, reduced opening hours or closure of some call centres, and issues with systems for remote

working. We are also aware that the need to provide a large number of ticket refunds has placed additional demands on customer service.

In these circumstances, the achievement of regulatory requirements for example responding to 95% of complaints within 20 working days has proved difficult. We have noted that some train operators have prioritised the processing of ticket refunds, and agreed extended timescales with the Rail Ombudsman for responding to complaints raised with them.

It is important that passengers with claims for delay compensation, ticket refunds, or outstanding complaints can have these handled appropriately and websites provide clear information and advice to customers. We trust that the anticipated fall in the number of complaints, together with the completion of the remaining claims for ticket refunds, will allow those operators who have struggled to meet complaints response times to return to compliance. Whilst we will continue to monitor performance in these areas, and welcome further discussion with operators as this situation develops.

### **Next steps**

We will contact individual train operators on a regular basis to understand both the challenges they are facing and their plans to address them.

In particular, we will seek to understand the arrangements for a gradual increase in passengers resulting from the ramping-up of train services. As I have set out above, we will continue to be pragmatic and reasonable in our response whilst ensuring the interests of passengers is uppermost.

Yours sincerely

A handwritten signature in black ink, appearing to be 'John Larkinson', written in a cursive style.

**John Larkinson**  
Chief Executive