Stephanie Tobyn
Deputy Director, Consumers
0207 282 3716

1 September 2015

Dear colleague

Core data update and forward workplan

The purpose of this letter is to set out our final view on what should be contained in a core data set for Complaints Handling Procedures (CHP) and Disabled People's Protection Policies (DPPP) compliance monitoring. It also sets out the process agreed with industry for implementing it.

The establishment of this core data set is an important way in which Train Operating Companies (TOCs) can demonstrate that they are complying with their obligations to disabled passengers and managing their complaints handling processes in accordance with published policies and procedures. This publishable data will improve the transparency of the passengers' experience and allow us to monitor operators' progress on CHP and DPPP over time.

This represents the end of a lengthy process of stakeholder engagement which culminated in a workshop hosted by ORR on the 29 June 2015 where the fine detail of the core data set and corresponding implementation workplan were agreed with industry. We were pleased to receive industry support for this important work and its commitment to helping us implement it in a timely manner. This was underpinned by the mutual recognition that the new data we are requesting, as well as the related data we are already collecting, is of the kind that is fundamental to our compliance monitoring and does not represent an unreasonable or unnecessary imposition of time, cost and resource on industry. It will also

add value by providing a robust, ongoing means of identifying best practice with a view to raising service standards for rail passengers and embedding continuous improvement in complaint handling and assistance provision.

The following information can be found in the annexes to this letter:

- **Annex A** – Summary of the final core data set for implementation
- **Annex B** - Summary note of the 29 June 2015 core data workshop
- **Annex C** - List of attendees at 29 June 2015 core data workshop
- **Annex D** – Summary of the 23 July 2015 complaints survey design workshop
- **Annex E** – Update on the proposed social media working group
- **Annex F** – Updates on core data workplan and actions.

As we take this work forward we will continue to work with industry to build on the positive engagement and cooperation we have achieved with stakeholders so far throughout this process. This will help us ensure that our core data set evolves in line with regulatory developments, advances in the industry or changing customer expectations and preferences, thereby allowing it to remain continually effective as a compliance and performance monitoring tool in the areas of CHP and DPPP.

Yours sincerely

Stephanie Tobyn

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Deputy Director, Consumers

Final core data set for implementation

Below is the final set of core data that ORR will be formally progressing with in core data year one (2015-16) and it also sets out, where relevant, the intended path for core data year two (2016-17).

- **Final CHP indicators**

Indicator	Reporting frequency	Status / comments	Comments
1. **Total number of complaints**	Periodic (i.e. in accordance with the fixed Rail Periods)	Fixed and agreed. Data collection and reporting ongoing.	No comments
2. **Percentage of complaint cases responded to within 'target', including sub-categories (a)-(d)** a) Percentage of complaints responded to within 20 working days (from 1st April 2015) b) Percentage of complaints responded to within 10 working days (from 1st April 2015) c) Percentage of complaints responded to within <u>in-house handling target</u> (from 1st April 2015) d) Percentage of complaints responded to within targets a-c <u>by contact method</u> e.g. phone, email, letter, *etc.* (**from <u>1st April 2016</u>)**	Periodic	Categories (a) – (c) fixed and agreed with reporting currently ongoing. Category (d) fixed and agreed. To be reported from **1st April 2016 (core data Year 2).**	No comments

3. Total number of complaints received by complaint category	Periodic	Fixed and agreed. Data collection and reporting ongoing.	No comments
4. Complaints about the complaint handling process **Sub-categories:** *What was the problem with the complaint handing process?* a) response time b) type/level of compensation c) complaints not fully addressed / fulfilled by TOC d) no response from TOC e) TOC was impolite/unhelpful f) complaint not received g) Other	Periodic	Fixed and agreed. Data collection and reporting ongoing.	ORR to update 2016-17 template to reflect TOC feedback that sub-category (e) 'TOC was impolite/unhelpful' should be changed to 'staff member was impolite/unhelpful'.
5. Customer satisfaction with the complaints handling process Data derived from ORR-led complaint handling satisfaction survey.	Ongoing (year round fieldwork)	TOCs supportive of concept of a standardised, ORR-led industry-wide complaints satisfaction survey. ORR working with TOCs to set this up with a view to having all TOCs participating by end of core data Year 1 (i.e. March 2016).	ORR awaiting TOC feedback on the draft survey and supporting documents. Funding for the survey will be provided by ORR in year 1 (2015-16) and likely to also fund this in year 2 (2016-17), but longer-term this should be an area for industry to take on and develop further.
6. Satisfaction with complaint outcome Data derived from same ORR-led complaint	Ongoing (year round fieldwork)	As above	As above

handling satisfaction survey noted above.			
7. **'Frivolous and vexatious' complaint volumes (with optional narrative)** Alongside volumes there is the opportunity to provide additional narrative to explain the circumstances of each complaint in this category, or high level explanations of types of frivolous and vexatious complaints and how they arise. This will help ORR better understand any issues around the treatment of these types of complaint.	Annual	TOCs to provide both volumes and (optional) narrative in core data year 1 and to be reviewed thereafter. Year 1 (2015-16) TOCs are required to submit this data by **29 January 2016** based on data for Rail Periods 1 to 7 (see Figure 1 in Annex D for Rail Periods). ORR to provide template for TOCs to report on this. Template to be issued by **Wednesday 30 September 2015** which the TOCs will be required to populate.	ORR will not publish this data in Year 1 (2015-16). ORR to review this indicator prior to core data Year 2 (2016-17).
8. **Measuring continuous improvement in complaint handling** TOCs to provide a short summary report with quantitative and qualitative data answering the following question: *"What are the five key areas passengers have complained about in the past year and what action are you taking to address them?"* By 'key areas' we mean service issues clearly within the TOC's area of responsibility (*e.g.* NOT issues caused by another TOC or third party, such as Network Rail).	Annual summary report	TOCs are required to submit their Year 1 (2015-16) summary report by **29 January 2016** based on data for Rail Periods 1 to 7 (see Figure 1 in Annex D for Rail Periods). ORR to provide template for TOCs to report on this. Template to be issued by **Wednesday 30 September 2015** which the TOCs will be required to populate.	ORR requests TOCs to provide Year 1 report by **29 January 2016**. In Year 2 we may move to a more normalised end of financial year reporting cycle to better align with TOCs' reporting periods (*e.g.* an annual summary report submitted in May each year). The template we will circulate on 30 September will give examples of the types of issues we would expect TOCs to cover in their reporting.

- **Final DPPP indicators**

Indicator	Reporting frequency	Status	Comments
9. **Disabled person's railcard volumes**	Periodic	Fixed and agreed.	ORR already has access to this data via LENNON but will engage ATOC to discuss how best to report on it.
10. **Staff who have received relevant disability awareness training or disability equality training** TOCs to provide a short annual summary report with quantitative and qualitative data answering the following questions: a) Who is being trained and how often? Provide details on type of staff and numbers. b) Do you have dedicated training or is it part of general training? Provide details. c) Who delivers the training? (in-house or specialist third party?) Provide details. d) What resources (e.g. training materials) do you use? Provide details.	Annual	Agreed. Year 1 (2015-16) TOCs are required to submit this summary report by **29 January 2016** based on data for Rail Periods 1 to 7 (see Figure 1 in Annex D for Rail Periods). ORR to provide template for TOCs to report on this. Template to be issued by **Wednesday 30 September 2015** which the TOCs will be required to populate.	ORR has agreed with TOCs it would be useful to keep this indicator broad in Year 1 (2015-16) and potentially refine in Year 2 (2016-17). Forthcoming template will provide guidance on what to include in the reporting.
11. **Volume of assisted journeys including sub categories (a) to (e)**	Periodic	Category (a) fixed and agreed. ATOC to transfer data to ORR directly on behalf of TOCs on a periodic basis.	ATOC delivering tutorial session to ORR staff on how to interpret the Passenger Assist data on Wednesday 16 September 2015.

a) Total assistance pre-booked b) Total pre-booked assistance completed c) Total pre-booked assistance incomplete + reasons (e.g. disruption, passenger no show, staff not present, *etc.*) d) Total un-booked assistance (TUAG) provided e) Total un-booked assistance (TUAG) incomplete		Categories (b) to (e) data to be provided to ORR when it should become available in core data Year 2.	TOCs should inform ORR if they have data on categories (b) – (e) that they can provide in core data Year 1 (2015-16).
12. No. of complaints where there was a service problem relating to a passenger's disability	Periodic	Fixed and agreed. Data collection and reporting ongoing.	No comments.
13. Passenger assist satisfaction data	To be confirmed. Under development.	Agreed assistance satisfaction data will be collected from Year 2 (2016-17) if an appropriate method of data capture can be developed.	TOCs who already have some assistance satisfaction monitoring arrangements in place should liaise with ORR to discuss sharing this data.
14. Alternative accessible transport (AAT) supplied and the reasons for it. Total number of occasions when AAT has been provided to a disabled passenger, both *booked in advance and where it was not. a) Station inaccessible b) Unmanned station c) Other (e.g. disruption)	Single submission for Year 1 based on Rail Periods 1 -7. In Year 2 this is likely to revert to periodic or quarterly reporting.	TOCs will provide pre-booked AAT volumes derived from the Passenger Assist booking system to ORR. The reason for each pre-booked AAT provided will be broken down by categories (a) – (c). Year 1 (2015-16) TOCs are required to submit this data by **29 January 2016** based on data for Rail Periods 1 to 7 (see Figure 1 in Annex D for Rail Periods). ORR to provide template for TOCs to report on this. Template to be issued	*In Year 1 we will focus on **pre-booked AAT**. Looking ahead, ORR will continue to work with industry to find ways of also capturing data on 'turn up and go' / un-booked AAT. As agreed at 29 June 2015 workshop, TOCs are also encouraged to submit information to ORR on their expenditure on AAT over the same period if they have this data.

		by **Wednesday 30 September 2015** which the TOCs will be required to populate.	

- **Looking ahead**

We envisage holding workshops prior to the commencement of each core data year to allow us to discuss potential changes to the data set with industry. This will provide opportunities to make amendments to it going forward with the purpose of ensuring that it always remains up-to-date and effective as a compliance and performance monitoring tool. With this in mind, we plan to hold an all industry stakeholder workshop in **February 2016** to discuss any potential changes to the data set and data templates prior to the commencement of core data year two on 1st April 2016.

ORR 29 June 2015 core data workshop summary note

Location: ORR Offices, One Kemble Street, London, WC2B 4AN

Date: 29 June, 2015, 11am – 3:30pm.

Item 1: Welcome and introduction

Stephanie Tobyn, ORR Deputy Director Consumers, welcomed everyone to the meeting and thanked industry representatives and stakeholders for attending. ORR explained that its core data workstream had been initiated by its Board and would play a fundamental role in allowing it to assess how CHP and DPPP policy is working on the ground for passengers. To deliver this objective, ORR's focus is now on moving forwards, implementing the core data indicators with a view to establishing it as an enduring arrangement.

Item 2: Presentation of core data indicators

Dr Scott Hamilton from ORR's Competition and Consumer Policy team explained that ORR had made a concerted effort to account for the valuable feedback from industry to their 13th January 2015 letter on their 'emerging view' of what core data they were seeking. This had allowed ORR to add or remove indicators that had subsequently been revealed to have more or less value, or to improve the clarity and precision of the pre-existing ones. ORR hoped that this would make implementation easier for TOCs and improve the quality of information ORR would receive. He then proceeded to present a revised version of the core data indicators to stakeholders with a view to reaching agreement on their configuration and reporting cycles. This would then constitute the final core data set for implementation. He also reiterated throughout the presentation how each indicator related to key aspects of CHP and DPPP monitoring.

The purpose of the tables below is simply to provide a record of the discussion from the 29 June 2015 core data industry workshop and the subsequent agreement ORR reached with industry on various aspects of the core data indicators. The final core data set presented in Annex A reflects the product of these discussions.

- **Workshop discussion of CHP indicators**

Indicator	Reporting frequency	Status	Comments	Next steps / actions
1. **Total number of complaints**	Periodic (i.e. in accordance with the fixed Rail Periods)	Fixed and agreed	No comments	Reporting already in place for 2015-16.
2. **Percentage of complaint cases responded to within 'target', including sub-categories (a)-(d)**	Periodic	Categories (a) – (c) fixed and agreed Category (d) fixed and agreed, to be reported from 1st April 2016	Discussion of how online interactive 'live chats' could be included in this. This element to be discussed with ORR ahead of reporting starting in 2016 (e.g. Feb 2016 workshop) and complaints template to be updated as necessary.	Reporting of (a) – (c) already in place for 2015-16 Reporting of (d) to begin 1st April 2016. **Action 1:** ORR to update complaints template for 2016-17 to accommodate this.
3. **Total number of complaints received by complaint category**	Periodic	Fixed and agreed	No comments	Reporting already in place for 2015-16.
4. **Complaints about the complaint handling process**	Periodic	Fixed and agreed	TOCs advised sub-category (e) 'TOC was impolite/unhelpful' should be changed to 'staff member was impolite/unhelpful'. ORR agreed.	Reporting already in place for 2015-16. **Action 2:** ORR to update template for 2016-17 to reflect requested modification to wording on category (e).
5. **Customer satisfaction with**	Ongoing (year round	TOCs supportive of concept of an	Indicators 5 and 6 were covered together, with a presentation by	Ideally Critical Research to begin receiving complainant contact details

the complaints handling process	fieldwork)	ORR-led Industry-wide complaints survey with next steps to enable implementation identified and agreed.	Critical Research. ORR plan to set up a working group with around 5-6 industry representatives to draft the survey. This will then be circulated to all TOCs for comments. A number of issues were discussed including: how to ensure only people who have consented to being contacted by a third party are contacted, data protection issues, including that Critical Research may need to sign an Information Sharing Agreement (ISA) with each TOC, how to avoid survey fatigue (over-surveying of individuals) and falling response rates, how the data will be published by ORR, what would happen if a Freedom of Information (FOI) request is raised regarding the data being held by Critical Research. Funding for the survey will be provided by ORR in year 1 (2015-16) and most likely year 2 (2016-17), but longer-term this should be an area for industry to take over and develop further.	from TOCs by end of August 2015 so that fieldwork can start in September 2015 **Action 3:** those TOCs who are in a position to begin sending sample to Critical Research should communicate this to ORR. **Action 4:** ORR to explore potential interactions between FoI requests and the survey data and to feedback to industry. **Action 5:** Critical Research to circulate text detailing their approach to data protection to TOCs by Tuesday 30th June. **Action 6:** TOCs to report back on any data protection issues by 7th July. **Action 7:** ORR to make arrangements for a survey design workshop in July 2015. TOCs to email ORR with name of representatives they wish to put forward to participate in the survey design workshop. Following the working group ORR to circulate draft survey for comments from TOCs prior to any fieldwork commencing. **Action 8:** TOCs to report back on how quickly they can provide data to Critical

					Research after a case has been closed. And when doing so to give Critical Research some impression of their complaint volumes and how easily the data can be downloaded.
6.	**Satisfaction with complaint outcome**	Ongoing (year round fieldwork)	Agreed	As above	As above
7.	**'Frivolous and vexatious' complaint volumes (with optional narrative)**	Annual	Agreement for TOCs to provide volumes and (optional) narrative in core data year 1 and to be reviewed thereafter.	ORR explained that it had received mixed feedback from TOCs as to the merits of collecting this data e.g. often the volumes are so low that it does not reveal anything meaningful. ORR suggested that in order for it to establish a better picture of the volumes across all TOCs it intended to request volume data for core data year 1 (2015-16) with a view to reviewing this prior to core data year 2 (2016-17). TOCs were supportive of this approach. ORR agreed it will not publish this data in year 1.	Volume data to be provided by **29 January 2016**, **based on Rail Periods 1-7** where possible (ORR has been made aware some TOCs do not currently collect this data). Optional narrative to explain circumstances of each complaint or high level explanation of types of frivolous and vexatious complaints. **Action 9:** ORR to provide template for TOCs to report on this.
8.	**Measuring continuous improvement in complaint handling**	Annual	Agreed	ORR's requests TOCs to provide Year 1 (2015-16) report by **29 January 2016**. Thereafter we may move to a more normalised end of financial year reporting cycle, which may align better with TOCs reporting periods.	TOCs to provide data and narrative based on Railway Periods 1-7, by **29 January 2016**. **Action 10:** ORR to provide reporting template.

Indicator	Reporting frequency	Status	Comments	Next steps / actions
9. **Disabled person's railcard (DPRC) volumes**	Periodic	Fixed and agreed	ORR already has access to this data via LENNON but noted it was in discussions with ATOC about how best to report on it. It was discussed that when reporting on this data context is key as some TOCs may have low DPRC volumes due to other concessions which are available in certain areas e.g. London or Scotland. ORR acknowledged this and agreed to report any data within context.	ORR to continue to speak to ATOC with a view to reporting on this indicator beginning from August 2015, with data backdated to 1st April 2015.
10. **Staff to have received relevant disability awareness training or disability equality training (covering sub-categories a-d)**	Annual	Agreed. TOCs to submit first report by 29 January 2016 based on data for Rail Periods 1 to 7.	Agreed it would be useful to keep this indicator broad in Year 1 (2015-16) and potentially refine in Year 2 (2016-17). ORR stated that it was yet to establish how this information would be published, but held the initial view that it may simply publish a summary report in Year 1 rather than reporting separately on individual TOCs but reserved the right to do so.	TOCs to provide Year 1 report and narrative by 29 January 2016, based on Rail Periods 1-7. **Action 11:** ORR to provide reporting template with some guidelines/examples on what is required. Template to be issued by **Wednesday 30 September 2015** which the TOCs will be required to populate.
11. **Volume of assisted journeys including sub categories (a) to (e)**	Periodic	Category (a) fixed and agreed. ORR to liaise directly with ATOC on the transfer of data.	ORR explained that it has been closely engaged with ATOC in recent months to establish what data pertaining to Passenger Assistance could be provided to ORR for compliance monitoring purposes. ORR noted it was	Category (a) to be sent to ORR by ATOC by end of August 2015, backdated to 1st April 2015. **Action 12:** ORR and ATOC to meet to discuss arrangements for the

		Categories (b) to (e) data to be provided to ORR when it becomes available.	pleased with the cooperative spirit in which this engagement had taken place. At the workshop it was agreed that in core data Year 1 category (a) data relating to the volumes of pre-booked assistance made via Passenger Assist would be provided to ORR. ORR noted that ATOC and TOCs were working to address categories (b) to (e) with the intention of providing this additional information to ORR when it became available. ORR acknowledged the work being done in this area and offered to support this activity where possible.	delivery of category (a) data. **Action 13:** Categories (b) to (e) – TOCs who are able to start reporting these categories should inform ORR of this with a view to providing this data as soon as possible. Those TOCs who cannot start reporting now to work towards starting reporting from 1st April 2016. **Action 14:** ORR to discuss reporting with Network Rail on stations where they provide assistance to disabled passengers.
12. No. of complaints where there was a service problem relating to a passenger's disability	Periodic	Fixed and agreed.	No comments.	Reporting already in place for 2015-16.
13. Passenger assist satisfaction data		Agreed assistance satisfaction data will be collected from Year 2 (2016-17) if an appropriate method of data capture can be developed.	Two options were proposed – (1) building on the current the ATOC trial or (2) establishing an assistance satisfaction survey similar to that proposed for measuring satisfaction with complaint handling (indicators 5 & 6). ORR and ATOC agreed to continue discussions on this to assess which of	**Action 15:** East Midlands Trains to share assistance satisfaction survey questions and methodology with ORR. **Action 16:** ATOC to share the findings from year 1 of their trial with ORR and to discuss options for expanding the trial in year 2 to help meet some of ORR's compliance

			these options could best deliver the compliance monitoring data ORR requires. It was also noted that some TOCs already have some assistance satisfaction arrangements in place which ORR was keen to find out more about.	monitoring objectives for indicator 13.
14. Alternative accessible transport (AAT) supplied and the reasons for it	Annual in Year 1. Likely to be periodic or quarterly from Year 2 onwards.	Agreed that pre-booked taxis can be reported via the Passenger Assist booking system. TOCs agree to provide this information to ORR on a periodic or quarterly basis in Year 2 onwards. The reason for each pre-booked AAT provided will be broken down by categories (a) – (c).	There was some discussion that pre-booked AAT was only a small part of this and that ORR and TOCs should continue to work together to find ways of also capturing data on 'turn up and go' AAT. It was discussed that because this is new data a one-off submission for Year 1 would be sufficient but that longer term this would be provided to ORR periodically or quarterly. Therefore agreed for Year 1 (2015-16) TOCs are required to submit this data by **29 January 2016** based on data for Rail Periods 1 to 7.	Year 1 (2015-16) TOCs are required to submit this data by **29 January 2016** based on data for Rail Periods 1 to 7. **Action 17:** ORR to provide template for TOCs to report on this. Template to be issued by **Wednesday 30 September 2015** which the TOCs will be required to populate.

Item 3: Social media

ORR stated it had reflected on feedback from industry and has removed the social media indicator for core data Year 1. ORR explained that it remained interested in learning more about TOCs use of social media in areas such as complaints and Passenger Information During Disruption (PIDD) because they had a direct association with licence conditions. To this end, ORR had visited a number of TOCs' social media teams in recent months which had helped build its understanding of how important social media had become as a key method of customer engagement for rail passengers. It was with this in mind that ORR had responded to industry feedback that a dedicated social media working group, facilitated by ORR, would be helpful in giving TOCs' social media teams a platform for sharing knowledge and insights. This could also serve to inform the potential development of an ORR social media policy and corresponding social media core data indicator for 2016-17 (core data Year 2).

- **Action 18:** TOC representatives should relay to their social media managers that, following positive industry feedback, ORR plan to press ahead with the idea of establishing a working group to reflect further on the development of a social media-related core data indicator and put forward names of interested individuals to participate in this working group (**see Annex E for more information on this**).

Item 4: Implementation

- **Action 19:** ORR will produce a meeting note, including action points and next steps.
- **Action 20:** ORR to publish slides and attendance list on website.

Item 5: Close

Stephanie Tobyn thanked attendees for their time and closed the meeting.

List of attendees at 29 June 2015 core data workshop

|	
Abellio Greater Anglia	Gill Charlton
Arriva Trains Wales	Tamsin Fullwood & Barry Lloyd
ATOC	David Sindall
c2c	Tunde Olatunji & Nikki Jack
Chiltern Railways	Lucy Garrad & Helen Drew
Critical Research	John Wood & James Hopkins
CrossCountry	Pamela Johnson
DfT	Frances Soames
East Coast Virgin Trains	Ian Brenkley
East Midlands Trains	Jayne Moyses & Natalie Surman
First Great Western	Jason Ness & Neil Craig
First Hull Trains	Tracey Parkinson
First TransPennine Express	Tom Davidson
Govia Thameslink Railway	Julie Allan & Leigh Owen-Vaz
Grand Central	Celia Knott
London Midland	Anita Smith
London Overground	Kevin Philpott & Paul Bryant
Merseyrail	Carla Lane & Jan McDonald
Northern Rail	Paul Jowett & Josh Raven
Passenger Focus	Kate O'Reilly
Southeastern	Justin Ryan
Stagecoach South Western Trains	Gary Hunnam & Phil Dominey
Virgin Trains	Helen Dunnington
Office of Rail and Road	Stephanie Tobyn
Office of Rail and Road	Dr Scott Hamilton
Office of Rail and Road	Sneha Patel
Office of Rail and Road	Harriet Gamper
Critical Research	Jon Wood
Critical Research	James Hopkins

Summary of the 23 July 2015 survey design workshop

As agreed at the 29 June core data workshop, ORR hosted a dedicated workshop with complaint handling specialists from industry on the 23 July 2015 for the purpose of developing arrangements for an industry-wide complaints handling satisfaction survey. This survey would serve ORR's compliance monitoring work by providing data for core data indicators 5 and 6, whilst at the same time giving TOCs the opportunity to gain important feedback from complainants as to how well they were dealing with complaints.

The working group consisted of the following people:

Name	Organisation
Pamela Johnson	Cross Country Trains
Natalie Surman	East Midland Trains
Michael Wyatt	Abellio Greater Anglia
Kevin Philpott	London Overground
Gary Hunnam	South West Trains
Ian Brenkley	Virgin Trains East Coast
Kate O'Reilly	Transport Focus
John Horncastle	ATOC
Jon Wood	Critical Research
Charlotte Caseley-Austin	Critical Research
Dr Scott Hamilton	ORR
Sneha Patel	ORR
Apologies: Helen Dunnington, Virgin Trains (West Coast)	

Summary of key points, agreed actions and next steps:

1. Critical began the session by explaining the research process based on the flow chart below.
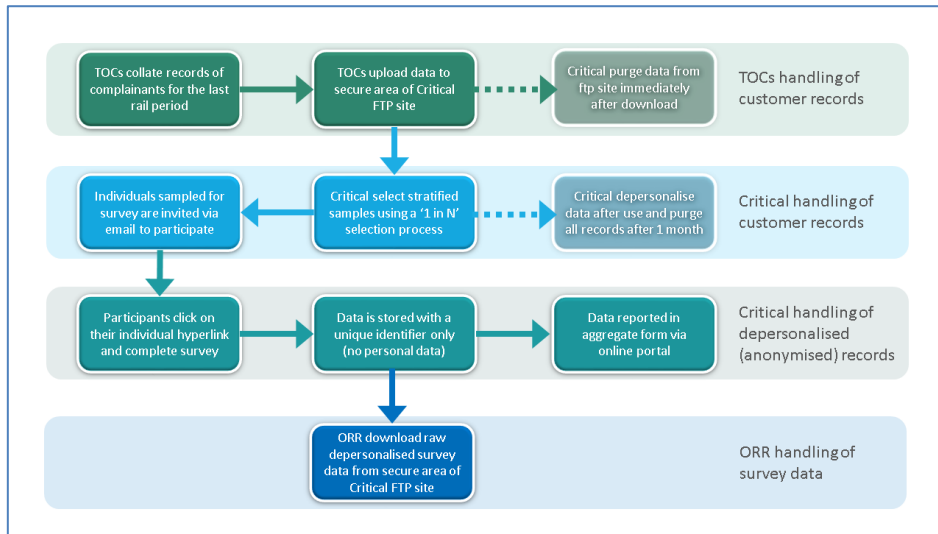
2. The working group was supportive of this approach and advised on the following points of detail.

3. It was agreed by the working group that TOCs should send their required complainant data to Critical 14 days after the end of each Rail Period.

Figure 1

Action 21: TOCs should inform Critical by Friday 11th September as to after which Rail Period they would expect to be able to begin sending sample.

4. Critical Research will send each TOC a template with the following headings for TOCs to populate with complainant details. The working group advised Critical Research that the format below was suitable:

Complaint	TOC name	Complainant name	Email address	Nature of complaint	Initial date of contact	Date complaint closed	Complaint reference number	Complaint outcome	Complainant's route
1									
2									

5. In the template above, TOCs would be requested to populate **as many fields as possible** for each complaint case but as a **minimum** they would need to provide the complainant's name and email address. Critical were keen to emphasise that the more information they input, the more detailed analysis they can provide back to TOCs through the online Data Portal.

Action 22: If there are additional fields TOCs want <u>added</u> to this template to enable them to conduct more granular complaints analysis then they must inform Critical of these by no later than <u>Friday 11th September.</u>

Action 23: Critical will then distribute the final sample template to TOCs by <u>Friday 18th September.</u>

6. The working group advised Critical that it would be helpful if the Data Portal could present an individual TOCs scores alongside other comparable TOCs. It was agreed that Critical would do this by using the 'clustering' model currently used by Transport Focus.

Action 24: Kate O'Reilly from Transport Focus agreed to send clustering model to Critical.

7. Related to this point above, the working group reached a consensus that TOC survey results on the Data Portal should <u>not</u> be anonymised, meaning each TOC could see how they perform against other named operators. The rationale for this was to ensure the data was as meaningful and contextualised as possible, which would be undermined if TOCs could not see how they were performing against other identifiable TOCs. ORR stated it was happy to support this as it was keen for TOCs to extract as much insight and value from the research as possible. Moreover, given that ORR is likely to report on TOCs survey results as part of its compliance reporting anyway, the working group felt that it was likely this information would be made public in any case.

8. The working group also requested that Critical Research provide individual TOCs with their own 'raw data' to allow them to run their own supplementary analysis of the survey results. Both ORR and Critical Research agreed to this **(also relates to action 22 above).**

9. ORR explained that a number of TOCs had been in touch to request formal Information Sharing Agreements (ISA) between themselves and Critical to ensure that arrangements and responsibilities for data handling were clear. The working group suggested that it would be helpful for Critical to draft a generic ISA which it could send out to individual TOCs. Each TOC could then feedback to Critical on any individual changes to it they require.

Action 25: Critical to send out generic Information Sharing Agreement to all TOCs.

10. It was also agreed that Critical would not contact the same complainant more than once in a six month period to avoid repeat complainants being sampled too frequently, this would ensure the sample and following results were as representative of the complainant population as possible.

11. Critical proposed some generic text to be used in TOC correspondence with complainants regarding 'opt-outs'. This followed on from discussion at the 29 June workshop where it was agreed that TOCs would need to seek complainants' permission before sending their details to Critical as part of the survey sample. Following some changes requested by the working group, the following text was proposed to be used by TOCs to include in their correspondence with complainants, thus providing them with the opportunity to opt-out of participating in the survey:

> *'[TOC] and the Office of Rail and Road (the industry regulator) are currently doing some joint research into passenger satisfaction with complaint handling. This involves a short online survey on your experience of how your complaint was handled. The survey would be sent to you via email by a professional research agency called Critical Research. Please check this box if you would not like to be contacted about this.'*

N.B. this generic opt-out text is merely designed to assist TOCs and retain the right to modify this text to suit their own requirements.

12. The working group then discussed and devised some text to be included in the email invite sent to complainants (i.e. those who have not opted-out of being contacted) asking them if they would like to participate in the survey and would include a hyperlink to the survey itself. The following text was proposed by the group:

Action 26: TOCs are requested to provide Critical Research with their logos by Friday 11th September. The logos should be in a fairly high resolution and <u>on a white background</u>.

13. The final part of the workshop progressed to discuss the complaints handling satisfaction survey itself. A range of formats and options for the survey were discussed by the working group. A key consideration was the importance of devising a survey that met ORR's expectations in so far as providing data on core data indicators 5 (satisfaction with complaint handling) and 6 (satisfaction with complaint outcome) whilst adding as much useful insight for TOCs as possible, yet keeping the survey short enough to ensure a good response rate. The final draft survey has been circulated to stakeholders alongside this letter.

Action 27: ORR to circulate the draft survey to all TOCs.

Action 28: TOCs to return comments on the survey to scott.hamilton@orr.gsi.gov.uk (cc'ing jon.wood@critical.co.uk) by <u>Friday 11th September.</u>

Update on proposed social media working group

Following extensive engagement with industry, ORR has responded to support from ATOC and many individuals TOCs on the creation of a social media working group to examine the potential for the development of a social media policy. There is some consensus within the industry that, given the significant growth in TOCs' engagement with customers via a range of social media platforms in recent years, it would be beneficial to establish a forum to discuss some of the issues this is generating. This could include examining questions such as:

- What are the key issues TOCs are experiencing in social media engagement with customers?
- Are there generic problems that would benefit from a common approach? E.g. devising guidance or a set of standards (either led by industry or ORR).
- What would this guidance and or standards look like and would it be monitored?
- Examine opportunities to pool insight and resources with a view to reducing costs?
- What are the interactions between TOCs' social media operations and CHP, DPPP and PIDD?

This list is purely designed to be illustrative of the types of issues the group may wish to consider at the first meeting with a view to devising some terms of reference for the group. The first meeting is scheduled to be held on **Wednesday 30th September 2015** at ORR's offices in London. An agenda for the first meeting will be circulated in advance.

Below is the current list of people whose names have been put forward to participate in the social media working group.

Social media working group		
	Name	**Organisation**
1	Lisa Pender	ATOC
2	Garry Kemp	Abellio Greater Anglia
3	Rich Shilton	Virgin WC
4	Nick Wood	Virgin EC
5	Emma Gascoigne or Nicola Clark	Chiltern Railways
6	Danny Carden	Abellio ScotRail
7	Alison Dunn	SWT
8	Natalie Surman	East Midlands Trains
9	Matthew Breese	Arriva Trains Wales
10	Pamela Johnson	Cross Country Trains

Places are still available for anyone interested. **Please provide the names to any additional interested parties to <u>scott.hamilton@orr.gsi.gov.uk</u> by <u>Friday 11th September.</u>**

Updates on core data workplan and actions

We have been pleased at the level of engagement from stakeholders since the 29 June workshop and the level of response we have received to the resulting actions. This has resulted in a huge volume of individual submissions and correspondence from TOCs that we have been trying to work through as quickly as possible. Therefore please be assured that if we have yet to reply to individual TOCs on some of the actions emanating from the workshop we will be in touch with you shortly to follow this up.

Here follows an update on the status of the actions since the 29 June workshop:

Action	Status
Action 1: ORR to update complaints template for 2016-17 to accommodate new categories for indicator 2 (Percentage of complaint cases responded to within 'target', including sub-categories (a)-(d)).	ORR will make this change for the 2016-17 template.
Action 2: ORR to update complaints template to reflect TOCs' request to change wording on Indicator 4 (complaints about the complaint handling process) category (e). That being, changing 'TOC was unhelpful/impolite' to 'staff member was unhelpful/impolite'.	ORR will make this change for the 2016-17 template.
Action 3: Those TOCs who are in a position to begin sending sample for the complaints satisfaction survey to Critical Research should communicate this to ORR.	ORR has received feedback from almost every TOC on their situation on sampling.
Action 4: ORR to explore potential interactions between FOI requests and the complaints satisfaction survey data and feedback to TOCs.	If ORR were to receive an FOI request in relation to information which we have obtained from a third party (e.g. a TOC), we would seek to engage directly with that third party to seek its views on disclosure as part of our assessment of what, if any, exemptions to disclosure might be appropriate. Action complete.
Action 5: Critical Research to circulate text detailing their approach to data protection pertaining to complaints satisfaction survey to	Action complete. ORR circulated this on Critical Research's behalf in email from Scott Hamilton on Wednesday 1st July

TOCs by Tuesday 30th June.	2015 – attachment titled 'ORR Complainant Tracker – Critical Research proposal'.
Action 6: TOCs to report back to ORR on any data protection concerns they may have in relation to the passing of their complainants' details to Critical Research for the complaints satisfaction survey.	ORR has received feedback from almost every TOC on their position on data protection. For those who have indicated they are in the process of making changes to their terms and conditions on complaints correspondence to overcome any data sharing concerns, ORR is liaising with them directly.
Action 7: ORR to make arrangements for a complaints survey design workshop on 23 July. TOCs to put forward names of industry representatives by 8 July.	Action complete. This survey design workshop took place on Thursday 23 July at ORR's offices in London. The outputs from this workshop are included in the email accompanying this letter.
Action 8: TOCs to feedback to Critical Research on how quickly they can feasibly provide data to them once a complaint is closed. When doing so TOCs should also aim to give Critical some impression of their complaint volumes and some indication as to how easily their data can be downloaded.	Critical Research has yet to receive feedback from several TOCs on this. It was nonetheless discussed at the complaints survey design workshop on 23 July and the following approach was agreed: TOCs will provide sample to Critical <u>14 days</u> after a Rail Period ends – this is set out in Figure 1 in Annex D. **TOCs should inform Critical by <u>Friday 11th September</u> as to after which Rail Period they will be able to begin sending them sample at** jon.wood@critical.co.uk**.**
Action 9: ORR to provide template for TOCs to report on Indicator 7 (frivolous and vexatious complaints).	ORR will send this by Wednesday 30th September 2015.
Action 10: ORR to provide template for TOCs to report on Indicator 8 (measuring continuous improvement in complaint handling).	ORR will send this by Wednesday 30th September 2015.
Action 11: ORR to provide template for TOCs to report on Indicator 8 (measuring continuous improvement in complaint handling).	ORR to provide reporting template with some guidelines/examples on what is required. ORR will send this by Wednesday 30th September 2015.

Action 12: ORR and ATOC to meet to discuss arrangements for the delivery of Passenger Assist category (a) data.	ATOC delivering tutorial session to ORR staff on how to interpret the Passenger Assist data on **Wednesday 16th September 2015.**
Action 13: Passenger Assist core data categories (b) to (e) – TOCs who are able to start reporting these categories should inform ORR of this with a view to providing this data. Those TOCs who cannot start reporting now to work towards reporting on these from 1st April 2016 where possible.	A number of TOCs have already been in touch to confirm if they are in a position to provide any of the (b) to (e) category data within core data year one (2015-16). We recognise that for the majority it is more likely that this data will not be available for reporting until core data year two (2016-17).
Action 14: ORR to discuss reporting of Passenger Assist data with Network Rail on stations where they provide assistance.	ORR is in the process of initiating these discussions.
Action 15: East Midlands Trains to share survey questions and methodology with ORR.	ORR has received this. Action complete.
Action 16: ATOC to share the findings from year 1 of their passenger experience of assistance trial with ORR and to discuss options for expanding the trial in year 2 to help meet some of ORR's compliance monitoring objectives.	ATOC has sent ORR information on the findings of year 1 of their trial. Discussions on options for expanding the trial in year 2 to help meet some of ORR's compliance monitoring objectives are scheduled for ORR's meeting with ATOC on Wednesday 16th September 2015.
Action 17: ORR to provide template for TOCs to report on Indicator 14 (Accessible Alternative Transport).	This will be sent out by Wednesday 30th September 2015.
Action 18: TOC representatives at 29 June workshop should relay to their social media managers that, following positive industry feedback, ORR plan to press ahead with the idea of establishing a working group to reflect further on the development of a social media-related core data indicator and put forward names of interested individuals to participate in this working group.	A number TOCs have so far put forward names of representatives to participate in this group (see Annex E) but places are still available for anyone interested. The first meeting of the group is scheduled for **Wednesday 30th September** 2015 at ORR's offices in London. **Please provide the names of any additional interested parties to scott.hamilton@orr.gsi.gov.uk by Friday 11th September 2015.**
Action 19: ORR will produce a meeting note of 29 June workshop, including action points and next steps.	Annex B of this letter. Action complete.

Action 20: ORR to publish slides and attendance list from 29 June workshop on website.	ORR has already circulated the workshop slides to stakeholders. We will publish the attendance list on the website alongside this letter.
Action 21: TOCs should inform Critical as to after which Rail Period they would be able to begin sending complaints survey sample.	Using the Rail Periods set out in Figure 1 (Annex D) TOCs should begin communicating this to Critical by **Friday 11th September** at jon.wood@critical.co.uk. With exception of LOROL who have intimated their sample will be ready following the Period 5 wave.
Action 22: TOCs to alert Critical to any additional fields they want added to the complaint survey sample template by no later than **Friday 11th September 2015.**	Due for completion on Friday 11th September 2015.
Action 23: Critical to distribute the final complaints survey sample template to TOCs by **Friday 18th September 2015**.	Due for completion on Friday 18th September.
Action 24: Kate O'Reilly from Transport Focus to send clustering model to Critical.	The Transport Focus clustering / sector model for grouping TOCs for the purposes of comparative analysis has been received. Action complete.
Action 25: Critical to send out generic Information Sharing Agreement to all TOCs.	Critical's generic ISA is included as attachment to email accompanying this letter. Action complete.
Action 26: TOCs are requested to provide Critical Research with their logos by Friday 11th September. The logos should be in a fairly high resolution and on a white background.	Due for completion on Friday 11th September.
Action 27: ORR to circulate the draft survey to all TOCs.	Draft survey attached to email accompanying this letter. Action complete.
Action 28: TOCs to return comments on the draft complaints survey to scott.hamilton@orr.gsi.gov.uk (cc'ing jon.wood@critical.co.uk) by **Friday 11th September 2015.**	Due for completion on Friday 11th September.