

ORR's Approach to Transparency – a consultation

July 2012



OFFICE OF RAIL REGULATION



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Foreword

Transparency really matters. It is central to the drive to make public services more accountable and more responsive to their users and to stimulating businesses to improve their performance and to innovate.

In a sector like rail, that receives several billion pounds of public investment every year, transparency is an absolute necessity. It can provide a clear line of sight as to where the significant amount of public money being invested in the industry is going, what it is buying and at what cost. It can facilitate comparisons between different parts of the sector and help to empower those who use rail services to make better informed choices.

By doing so, it can help to build confidence and trust in the railways – and not only *in* the sector, but *across* the sector. This is important, as increased confidence and trust can in turn help to drive the different and better behaviours across the whole sector required to deliver better value for money and greater focus on customers.

Conversely, the current perceived lack of transparency breeds suspicion – that passengers are being ‘ripped off’ and that taxpayers are not getting value for money – making it more difficult for the sector to convincingly demonstrate its commitment to delivering on efficiency and performance.

ORR firmly believes that transparency can be a powerful transformational lever and a crucial part of our drive to help make the rail industry more self-sustaining and less dependent on regulatory intervention. That is why it is not only central to our current Periodic Review of Network Rail but also informing our wider thinking on how best to incentivise whole-sector approaches to improved efficiency and performance.

Our vision for transparency is ambitious. It demands more in terms of what we do to make our own processes more transparent, what we do in collaboration with the industry and in terms of what the industry itself does.

We want to see transparency:

- Hold the rail sector to account by reputation in absolute terms and by comparison
- Hold ORR to account in how we discharge our duties
- Expose where the industry spends the money it receives and on what
- Enable passengers and freight customers to exercise choice where available
- Stimulate the design and introduction of new consumer-led services and products

We recognise that there are risks and concerns around such issues as commercial sensitivities, data integrity and the costs of making data accessible. But we strongly believe that these are far outweighed by the benefits that greater transparency will bring – to passengers, taxpayers and the industry itself.

We look forward to hearing your views.

A handwritten signature in blue ink, appearing to read 'Richard Price'.

Richard Price

Chief Executive

Executive summary

Introduction

1. Openness and transparency are playing an increasingly important role in delivering the Government's objectives for strengthened public accountability; public service improvement; and stimulating wider economic growth by helping third parties to develop innovative products and services based on public sector information.
2. Transparency also plays a key role in the Government's strategy for the consumer. In its document *Better Choices: Better Deals*¹, it sets out how information can empower the consumer to exert pressure on businesses to improve their performance and to be more innovative.
3. The Department for Transport's (DfT) Command Paper 'Reforming our Railways: Putting the Customer First'² (<http://assets.dft.gov.uk/publications/reforming-our-railways/reforming-our-railways.pdf>) stresses the importance of improving the availability of data and information to passengers and taxpayers in this sector. It cites, in support, the *Open Services White Paper*³ which highlights the need for public services to be responsive to the people they serve, and organisations delivering public services to be held to account by citizens and elected representatives.
4. We agree with DfT that transparency requirements need to apply equally to providers of public services whether they are in the public, voluntary or private sectors. DfT notes that in the context of the rail industry, where £4 billion of public subsidy was invested in 2010/11, the public has a right to clearer and more transparent information on costs and on all aspects of performance.
5. Transparency delivers accountability; it can create reputational incentives; it empowers consumers; and it can stimulate innovation and growth.

Accountability: Transparency 'shines a light' on activities and eliminates any places to hide.

Reputation: More transparency enables the performance of companies to be compared.

Consumer empowerment: With better knowledge consumers can access the products and services which are right for them.

¹ *Better Choices: Better Deals. Consumers powering growth*, (BIS and Cabinet Office) April 2011

² *Reforming the Railways: Putting the Customer First*, March 2012, Cm 8313

³ Cabinet Office – *Open Public Services White Paper* – July 2011

Innovation and growth: Providing third parties with access to the wealth of information and data that companies gather in the course of doing business could stimulate the development of innovative products and services for the benefit of consumers and for the economy as a whole.

Our vision

6. We believe that transparency has a vital role to play in driving the behavioural changes necessary for industry reform, delivering better value for money and delivering an industry that has a sharper focus on its customers. We want to see transparency developed to:

- hold the sector to account by reputation in absolute terms and by comparison;
- hold ORR to account in how we discharge our statutory responsibilities, in the substance of our decisions and in what we spend;
- expose where the industry spends the money it receives and on what, to enable passengers, funders and taxpayers to consider whether they are getting value for money and to support informed choices about future spends including at local level;
- enable passengers and freight customers to exercise choice where available and to match the service or product to their needs; and
- stimulate the design and introduction of new consumer led services and products by third party developers with potential downstream commercial applications.

Our strategic objectives

7. In May 2011, ORR launched the National Rail Trends (NRT) Portal, providing public access to a wide variety of rail statistics. The NRT Portal presents key data in tables and charts, and enables users to query detailed data via a Report Wizard.

8. ORR is ambitious in its vision for transparency and is committed to delivering all of the potential benefits that transparency can bring. Our vision demands more in terms of what we do to make our own processes more transparent, what we do in collaboration with the industry and also in terms of what the industry initiates and publishes itself.

9. ORR's strategic objectives are to:

- (a) ensure ORR and the industry become more transparent;
- (b) encourage industry bodies to release their own data and to publish information to meet consumer demand;
- (c) publish official statistics and other key industry metrics via the NRT Portal in our position as an independent and credible authority;
- (d) publish other industry data, where we can add value; where there are problems with relying on the source; and where the industry fails to respond quickly enough; and
- (e) continue to ensure rail data is accurate, reliable, accessible and timely.

Our approach

10. We will achieve these objectives by continuing to work collaboratively with the industry, where possible, and we remain open to discussions around commercial sensitivity and cost. We would expect the sector, however, to take a balanced view of the benefits versus risks of disclosure of information and release of data.

11. We will continue to enhance the functionality and accessibility of the NRT Portal to encourage its use. However, we will continue to keep our role in the publication of data under review and expect third parties developers to be a catalyst for change, potentially quickening the pace at which transparency is delivered in line with consumer demand.

12. However, there may be areas where the pace is slower and where we believe that transparency benefits are being denied. In such circumstances we will consider using our statutory powers to require and publish the information or consider modifying⁴ industry operating licences to include a data or information provision obligation, where that is more appropriate.

Our current focus and what this has achieved

13. A significant amount of data and information about this sector is already publically available and in the Annex to this document we provide an overview of what is provided via the NRT Portal and what we are aware is provided by other industry stakeholders.

14. Our recent transparency focus for the industry has been on:

(a) exposing industry costs, revenues and efficiency and benchmarking;

(i) franchised rail industry financial reporting;

(ii) comparing the cost drivers of train operating companies (TOCs); and

(iii) disaggregation at operating route level;

(b) further disaggregation of performance and industry complaints data;

(c) dissemination of data via the NRT Portal; and

with the objective of ensuring that industry data is being exploited to its full potential in the development of consumer led services and products,

(d) licensed access for third party developers to real time train information via National Rail Enquiries.

15. Our focus for ORR has been on:

(a) publishing workforce management figures; monthly spend over £25,000; advisory consultancy and external recruitment spend;

⁴ Licences (or Statements of National Regulatory Provisions) can be modified by consent or by reference to the Competition Commission, under section 13(1) of the Railways Act 1993 or schedule 3 of the Railway (Licensing of Railway Undertakings) Regulations 2005

- (b) publishing the minutes of the ORR Board meetings and meetings of our forum of consumer experts;
- (c) being inclusive and consultative in the development of our business plan and our priorities – drawing on the full range of stakeholder views;
- (d) inserting more rigour into our use of impact assessments to promote a more open and robust approach to our decision making processes and to encourage stakeholder participation in the development of policy; and
- (e) through our periodic review 2013 website encouraging active engagement in the detail and at all stages of the review process.

16. Also this year we are establishing a way in which to evaluate our own effectiveness and will be publishing the results of that evaluation in the Spring of next year.

17. Our programme of work with the industry is already making significant progress. Key pieces of work include:

- April 2010. We encouraged National Rail Enquiries to establish a Code of Practice the objective of which was to provide transparency and assurance to third party developers that their applications for access to real time train information would be considered fairly and on a non-discriminatory basis.
- January 2012. We published, for the first time, rail financial information encompassing Government, Network Rail and TOCs. This is an important step in improving the understanding of money flows across the sector which will be updated further in early 2013.
- March 2012. We published complaints data showing trends in passenger complaints over time.
- May 2012. We published disaggregated Public Performance Measure (PPM)⁵ data for all TOCs by route sector.
- June 2012. We published our research on ticketing complexity, increasing the pressure on TOCs to improve the quality and usefulness of information they provide to passengers.
- July 2012. We published annual right-time⁶ train information by sector.
- July 2012. We published the results of a study carried out jointly with South West Trains on the impact of providing more information on crowding on passenger behaviour.

18. In the autumn we plan to publish a consultation on the drivers of TOC costs which together with the publication of more disaggregated performance data, and the enhancements we are planning to the NRT Portal demonstrates our solid commitment to pushing the pace of the agenda.

19. So now passengers can access more information than previously about the performance of their train services which will empower them, individually or via groups acting in their collective interests, to challenge train companies and to lobby for improvements. Information about crowding will enable passengers to exercise choice about what trains to catch even where they feel captive to rail. Funders, taxpayers and passengers will have an increased awareness of where their money is being spent and why. This greater

⁵ Trains that arrive within five minutes of the scheduled time at final destination (10 minutes for long distance trains)

⁶ Trains arriving within 59 seconds of published arrival times (including early arrivals)

awareness should stimulate challenge and enable more informed choices about how to extract better value for money in the future. And passengers are already enjoying the benefits of new information products and services via their mobile phones and web browsers that would not have happened without third parties using their expertise and know how to develop data that the industry holds. This is, however, just the start.

20. Transparency will enable passengers, funders and taxpayers to send powerful signals to the sector about what it needs to do to transform itself into a modern, dynamic, safe, high performing, value for money, transport mode of choice.

21. Equally ORR has to raise its own game and demonstrate, by opening up our processes to public scrutiny, that we are effectively fulfilling what Parliament established us to achieve and that we are achieving value for money. We list above how we make ourselves accountable, including our intention to measure our own effectiveness and to publish the results. We ask consultees in this document what else we should do to show that we are doing our job well and are focused on the right areas.

Appraising the costs and benefits

22. There are, however, challenges in the move toward more transparency, and these are not specific to the railway sector. We are mindful of, for example, the potential for data and information overload; commercial sensitivities and the possibility of unintended consequences; accessibility and data integrity issues; and the costs.

23. We strongly hold that there is significant benefit to be achieved from transparency in spite of all the risks and problems. Those benefits can be enjoyed not only by consumers but also by businesses themselves. We understand, however, that we need to fully understand the implications if we are to bring the industry along with us.

24. There is a great deal to achieve and a great deal to play for here and we want to ensure that the case for transparency is fully made; is compelling and is focused on the right areas. We intend to commission a study to better understand the drivers and the scale of additional costs of implementing different forms of transparency in the sector; to identify demand and to better articulate the benefits. This should assist us and the industry in prioritising where to go next in terms of transparency in order to achieve most value.

25. In this document we seek views from consultees on how we should go about assessing the risks and benefits of more transparency and what factors we should take into account, including how we should measure whether our objectives for transparency are being achieved.

Responding to this consultation

26. We welcome responses on any aspect of this consultation, but we also raise a number of specific questions (summarised on pages 36-37, below). Please send your responses in electronic (or if not possible, in hard-copy format) **by Friday 19 October 2012** to:

Philip Willcox
Office of Rail Regulation
1 Kemble Street
London WC2B 4AN
Email: philip.willcox@orr.gsi.gov.uk

27. Please note, when sending documents to us in electronic format that will be published on our website, we would prefer that you email us your correspondence in Microsoft Word format. This is so that we are able to apply web standards to content on our website. If you do email us a PDF document, where possible please:

- (a) create it from the electronic Microsoft Word file (preferably using Adobe Acrobat), as opposed to an image scan; and
- (b) ensure that the PDF's security method is set to no security in the document properties.

28. If you send a written response, you should indicate clearly if you wish all or part of your response to remain confidential to ORR. Otherwise, we would expect to make it available on our website and potentially to quote from it. Where your response is made in confidence, please can you provide a statement summarising it, excluding the confidential information, which can be treated as a non-confidential response. We may also publish the names of respondents in future documents or on our website, unless you indicate that you wish your name to be withheld.

Next steps

29. As part of this process of appraisal we intend to hold a seminar involving franchising authorities; industry stakeholders and other parties interested in the transparency agenda.

30. We would like to hear from those who would be interested in attending such a seminar, in particular any party who has had experience of the challenges and benefits of delivering transparency in another sector.

31. The responses to this consultation, feedback from the seminar and the appraisal work we describe above will help us to develop the approach that we set out in this paper. We intend to publish our findings by way of a conclusions paper in the **Spring of 2013**.

1. Introduction

Purpose of the document

1.1 Openness and transparency are playing an increasingly important role in delivering the Government's objectives for strengthened public accountability; public service improvement (by generating more comparative data and increasing user choice); and stimulating wider economic growth by helping third parties to develop innovative products and services based on public sector information.

1.2 Transparency also plays a key role in the Government's strategy for the consumer. In its document *Better Choices: Better Deals*⁷, it sets out how information can empower the consumer to exert pressure on businesses to improve their performance and to be more innovative.

1.3 The Department for Transport's (DfT) Command Paper 'Reforming our Railways: Putting the Customer First'⁸ (<http://assets.dft.gov.uk/publications/reforming-our-railways/reforming-our-railways.pdf>) stresses the importance of improving the availability of data and information to passengers and taxpayers in this sector. It cites, in support, the *Open Services White Paper*⁹ which highlights the need for public services to be responsive to the people they serve, and organisations delivering public services should be held to account by citizens and elected representatives.

1.4 We agree with DfT that transparency requirements need to apply equally to providers of public services whether they are in the public, voluntary or private sectors. DfT notes that in the context of the rail industry, where £4 billion of public subsidy was invested in 2010/11, the public has a right to clearer and more transparent information on costs and on all aspects of performance.

1.5 In this document ORR sets out why it believes transparency is important in this sector and the increasing role we believe it will play in driving the behavioural changes necessary for reducing the industry's costs and delivering a sharper focus on customers' needs. We describe what progress has been made so far, by ORR and the industry; our approach to the delivery of more transparency in the future and we identify and ask questions around the challenges that we face in delivering that.

What we are asking of consultees

1.6 The questions that we are asking of consultees are set out at chapter 5. In broad terms we are interested to hear views and gather information on:

⁷ *Better Choices: Better Deals. Consumers powering growth*, (BIS and Cabinet Office) April 2011

⁸ *Reforming the Railways: Putting the Customer First*, March 2012, Cm 8313

⁹ Cabinet Office – *Open Public Services White Paper* – July 2011

- (a) whether the scope and pace of our transparency approach is about right and if not what should we be doing and why;
- (b) what demand is there currently for data and information and what use can be made of it;
- (c) what ORR's role should be in the publication of data and information (we ask questions around our National Rail Trends (NRT) data Portal, for example) and what role can third parties play;
- (d) how best to present and disseminate data or information; and
- (e) what transparency initiatives are being trialled or adopted across the industry in order for us to understand better the challenges and benefits of delivering transparency in practice and to identify examples specific to this sector.

Next steps

1.7 We discuss in chapter 4 our intention to commission a study to better understand the drivers and the scale of additional costs of implementing different forms of transparency in the sector. We ask consultees views at the end of that chapter how we should go about this work and what factors we should take into account. As part of this work we intend to hold a seminar involving franchising authorities; industry stakeholders and other parties interested in the transparency agenda.

1.8 We should like to hear from those who would be interested in attending such a seminar particularly if they have had experience of the challenges and benefits of delivering transparency in another sector.

1.9 The responses to this consultation, feedback from the seminar and the appraisal work we describe above will help us to develop the approach that we set out in this paper. We intend to publish our findings by way of a conclusions paper in the Spring of 2013.

Structure of this document

1.10 This document is structured as follows:

- (a) Chapter 2 - Why we think transparency is important and why transparency matters in this sector, our vision for the industry, our strategic objectives and our approach to achieving our transparency goals.
- (b) Chapter 3 - Contains details of our current focus and activities and reports on a number of industry generated initiatives.
- (c) Chapter 4 - Describes the challenges of greater transparency and next steps.
- (d) Chapter 5 - Lists those areas on which we are seeking views.

2. What transparency means for this sector and ORR's approach

DELIVERING MORE EMPOWERMENT FOR PASSENGERS AND BETTER ASSURANCE FOR TAXPAYERS

Britain's railways play an important and valued part in the nation's life. They connect people and communities in a safe, environmentally friendly way, facilitating economic growth and commercial activity both within and across regions.

It is therefore no surprise that they are experiencing sustained and significant growth in both passenger and freight traffic.

As a result, last year alone the railways received £4bn of taxpayers' money. This means that issues of what the railways cost, where they go and the quality of service they provide are and will remain matters of significant and legitimate public interest.

Seen in this light, transparency is a necessity for the railway industry. It can help build the levels of confidence and trust to justify continuing investment and avoid suspicions that passengers are being 'ripped off' and taxpayers getting poor value for money.

For passengers better transparency means more empowerment:

- Enabling them to make informed choices over things like when best to travel and what ticket to buy
- Enabling them to compare the level of service they are receiving compared to passengers on other parts of the network
- Enabling them to challenge when things go wrong
- Enabling them to access user-friendly information at a time and in a format that best suits their needs

For taxpayers better transparency means more assurance:

- That the rail industry is being effectively held to account to deliver what it has promised
- That the money they are putting into the railways is being well spent
- That they can have confidence about continuing public investment in the nation's rail infrastructure

Transparency can also help the rail industry itself by driving the behaviours, actions and innovation needed to transform the way the whole sector works to deliver the levels of performance, service and safety expected of it whilst increasing its efficiency and improving value for money.

This is why transparency is front and centre of ORR's agenda for putting passengers and taxpayers at the heart of how we regulate Britain's railways.

Introduction

2.1 In this chapter we set out what is meant by transparency; why transparency is important and why it matters in rail. We set out our transparency vision, our strategic objectives and our approach.

What is transparency?

2.2 Transparency can mean different things to different people depending on what they want transparency to deliver.

- (a) Consumers want information about the product or services they are thinking about buying to make the right choices and claim their rights when the purchase does not match up to the seller's promises.
- (b) Citizens want information in order to make life choices for example about where to live and to consider options around connectivity and infrastructure.
- (c) Taxpayers want to know what Government is achieving with their money and how it is being spent.
- (d) Advocacy groups and groups acting on behalf of consumers want information in order to mount challenges and to lobby for change.
- (e) Entrepreneurs want data to exploit commercial opportunities for example in the development of new information products and services.

And

- (f) Government wants transparency in order to support decision-making, stimulate new business opportunities and to improve performance and value for money by holding our public sector services to account.

Why transparency is important

2.3 Transparency delivers accountability; it can create reputational incentives; it empowers consumers; and it can stimulate innovation and growth.

Accountability: Transparency 'shines a light' on activities and eliminates any places to hide. Publically available data and information generates public debate and can in turn result in better internal scrutiny and audit and act as a stimulus for better decision making in companies.

Reputation: More transparency enables the performance of companies to be compared. This has a direct benefit to consumers who can exercise choice; to advocacy groups who can campaign for improvements; and to business itself as it can learn from the performance of others.

Consumer empowerment: With better knowledge consumers can access the products and services which are right for them. This can lead to increased satisfaction; repeat business and less cost to business from complaints. Informed consumers can also exert pressure on business to improve performance and to give better value for money.

Innovation and growth: Providing third parties with access to the wealth of information and data that companies gather in the course of doing business could stimulate the development of innovative and new products and services for the benefit of consumers and for the economy as a whole.

Why transparency matters in rail

2.4 We agree with DfT¹⁰ that transparency requirements need to apply equally to providers of public services whether they are in the public, voluntary or private sectors. We believe that, for the reasons set out below, ORR and the industry must be prepared to be held to account and to exploit the benefits and opportunities that can result from greater transparency.

2.5 This is a sector that in 2010-11 received £4bn in public subsidy to provide services.

- The industry has a responsibility to demonstrate how that money is being spent and where.

2.6 ORR receives £32million from the industry¹¹ to undertake its functions and our decisions and interventions have implications for funders; the industry and its customers.

- ORR has a responsibility to account for how we discharge our statutory responsibilities, how we spend the money we are given, how we make our decisions and to demonstrate what value we bring.

2.7 This is a sector that faces a significant value for money challenge¹².

- The publication of company performance and cost data can be used to benchmark the performance or cost efficiency of companies against their peers, creating reputational incentives on managers to outperform them.

2.8 This is a sector where capacity is finite and where there is limited revenue opportunity and limited taxpayer funding to support increases in services in line with passenger demand.

- Greater understanding of costs, revenues and subsidy across the sector will increase credibility and support decisions about future spend nationally and at a local level.

2.9 This is a sector that delivers services via a number of regionally based monopolies where passengers may feel that they have limited choice.

- We believe that even limited choice should be exploited so that passengers can take more control over their journey and travel patterns.

2.10 This is a sector which operates as a system. The causes of failure in performance are complex and are difficult to interpret without context. Providing performance data at a system level, however, does not help passengers to interpret the statistics within the context of their own experience. This in turn could be having a negative impact on industry credibility.

- We want to see increased disaggregation of performance data so that passengers and bodies acting on their behalf can see how well individual services are performing and who is at fault. This enables more informed challenge, creates a reputational incentive and helps passengers to plan their journey with a reasonable understanding of what to expect.

¹⁰ Reforming our Railways: Putting the Customer First, Cm 8313, March 2012

¹¹ Through a combination of licence fees and a railway safety levy

¹² Realising the Potential of GB Rail – Detailed Report, Final Independent Report of the Rail Value for Money Study, May 2011, available at <http://www.rail-reg.gov.uk/server/show/ConWebDoc.10401>

2.11 Our recent report on ticket complexity (<http://www.rail-reg.gov.uk/upload/pdf/ticket-complexity-report-june-2012.pdf>) explained what elements of the current fares structure passengers found confusing and the impact that had in terms of wrong tickets purchased. The report recognises that the industry is addressing these problems but does underline the need for the industry to do much better. Our research identified that even passengers who bought the correct ticket found the information provided so confusing as to make them deeply suspicious of the system.

- We want consumers to be fully aware of the terms and conditions of sale; know what to claim and how to claim it when things go wrong; and to feel confident that they have selected the fare that best suits their needs.

2.12 The industry gathers a significant volume of data during the course of its day to day operations which could be used for the development of new consumer products and services.

- We want to see an industry which welcomes applications from third party developers who see an opportunity to exploit industry data for commercial gain. We believe that this brings benefits to consumers by way of new products and services, to the industry by way of private sector expertise and funding, and to UK plc by way of economic activity.

Our transparency vision

2.13 We believe that transparency has a vital role to play in driving the behavioural changes necessary for industry reform, delivering better value for money and delivering an industry that has a sharper focus on its customers. We want to see transparency developed to:

- (a) hold the sector to account by reputation in absolute terms and by comparison;
- (b) hold ORR to account in how we discharge our statutory responsibilities, in the substance of our decisions and in what we spend;
- (c) expose where the industry spends the money it receives and on what, to enable passengers, funders and taxpayers to consider whether they are getting value for money and to support informed choices about future spends including at local level;
- (d) enable passengers and freight customers to exercise choice where available and to match the service or product to their needs; and
- (e) stimulate the design and introduction of new consumer led services and products by third party developers with potential downstream commercial applications.

Our strategic objectives

2.14 ORR is ambitious in its vision of transparency for the sector and is committed to delivering all of the potential benefits that transparency can bring. Our current focus (set out in detail at chapter 3) for delivering more transparency around, for example, industry financials and performance is being achieved by working collaboratively with the industry in order to move to a position that the industry feels comfortable with, taking into consideration issues of commercial sensitivity and cost. We ask for consultees views as to the scope and pace of our current focus at the end of that chapter.

2.15 Our vision, however, demands more in terms of what we do ourselves, what we do in collaboration with the industry and also in terms of what the industry initiates and publishes itself. We report, for example, on industry initiatives such as First Group's web-site publication of its daily Public Performance Measure (PPM)¹³ and the release of historic performance data by Network Rail which could have significant potential in terms of third party developed applications for consumers.

2.16 Our strategic objectives are to:

- (a) ensure ORR and the industry become more transparent;
- (b) encourage industry bodies to release their own data and to publish information to meet consumer demand;
- (c) publish official statistics and other key industry metrics via the NRT Portal in our position as an independent and credible authority;
- (d) publish other industry data, where we can add value; where there are problems with relying on the source; and where the industry fails to respond quickly enough; and
- (e) continue to ensure rail data is accurate, reliable, accessible and timely.

Our approach

2.17 Our approach will continue to be collaborative, where possible, and we remain open to discussions around commercial sensitivity and cost. We would expect the sector, however, to take a balanced view of the benefits versus risks of disclosure of information and release of data. Concern about negative criticism and reputational risk, for example, may not be seen as particularly compelling, given the overarching policy objective of incentivising better performance and value for money by that very exposure. Also access to data otherwise protected by IPR can bring benefits that exceed the initial cost to the sector of its release.

2.18 We will continue to enhance the functionality and accessibility of the NRT data Portal to meet the requirements of stakeholders and to encourage use. Search engines have transformed the ways in which people seek out and find information. In some respects where the information sits has become less important than previously where search costs may have deterred even the most determined. In other respects there are benefits to having data all in one place and close to or at least linked to the source, enabling scrutiny of performance over a range of metrics and creating a direct relationship with the originator. This aligns with our strategy of encouraging the industry to publish the majority of the data, while retaining responsibility for publishing official statistics and key metrics.

2.19 There may be credibility issues, however, with self-published information and in the absence of a standard reporting framework comparisons may prove difficult. Our joint research with Passenger Focus¹⁴ indicated that passengers want the provider of rail data to be a trusted source; there was suspicion that if it was left to the train companies they might provide selective information. They wanted trusted sources to provide some assurance that the information is accurate, reliable and unbiased.

¹³ Trains that arrive within five minutes of the scheduled time at final destination (10 minutes for long distance trains)

¹⁴ Putting rail information in the public domain, May 2011

2.20 We consider there to be value in our continuing to publish data and information in particular where it provides:

(a) assurance as to how the industry is performing against regulatory targets and delivering on its commitments;

(b) comparisons between businesses and over time;

and where,

(c) we believe we can add value and/or credibility to what is being published, for example in providing explanatory narrative and context, or quality assurance; and

(d) the industry fails to respond quickly enough.

2.21 We expect third party developers to be a catalyst for change and expect to see a number of transparency developments as a result of, for example, the release of performance data by Network Rail (see the section on industry initiatives in chapter 3). We expect such developments to quicken the pace at which transparency is delivered in line with consumer demand.

2.22 We will continue to keep under review our role in the publication of data and information given our long term vision for greater transparency that is delivered either by the industry itself or by third parties making use of data releases. And we will, for example, consider whether there is an alternative value and/or continuing role for us in directing users of our web site to information or data held elsewhere.

2.23 However, there may be areas where the pace is slower and where we believe that transparency benefits are being denied. In such circumstances we will consider using our statutory powers to require and publish data and information (see section on the legal framework in chapter 4) or develop a licence approach where that is more appropriate.

2.24 There is a great deal to achieve and a great deal to play for here and we want to ensure that the case for transparency is fully made; is compelling and is focused on the right areas. We set out at chapter 4 our intention to commission a study to better understand the drivers and the scale of additional costs of implementing different forms of transparency in the sector; to identify and mitigate the risks; to identify demand and to better articulate the benefits. This should assist us and the industry in prioritising where to go next in terms of transparency in order to achieve most value. We ask consultees views at the end of chapter 4 as to how we should go about this work and what factors we should take into account.

3. Our current focus

WHAT WE WANT OUR CURRENT FOCUS TO ACHIEVE

More transparency about where the money goes

- Franchised rail industry financial reporting
- Disaggregation of Network Rail's income and costs to route level
- Comparing train operating company (TOC) costs

So that passengers, taxpayers and funders can hold the sector to account by having a better understanding of the costs and revenues. To inform future spending decisions and to provide a powerful incentive on the industry to show that it represents value for money.

More transparency about industry performance

- Disaggregation of performance data
- Disaggregation of complaints data

So that passengers have the level of insight they need to challenge their suppliers and to make choices where they can. To incentivise the industry to focus on passengers' needs.

More transparency about our own processes

- Publishing workforce management figures; monthly spend over £25,000; advisory consultancy and external recruitment spend.
- Publishing the minutes of meetings of the ORR Board and forum of consumer experts.
- Consulting on our business plan and our priorities.
- Encouraging stakeholder participation in the development of policy including by the publication of detailed impact assessments.
- Inviting engagement in all stages of the 2013 periodic review via a bespoke website.
- Publishing the results of an evaluation of our own effectiveness in Spring 2013.

So that we have an even greater incentive to show that we are delivering in line with customer needs and can deliver a high quality product at the lowest possible cost to the sector.

Third party developer access to data

- The April 2010 Code of Practice governing access to National Rail Enquiries' real time train information database

So that consumers can enjoy new information products and services developed by those who are best placed to innovate at pace with what the market demands.

Overview

3.1 A significant amount of data and information about this sector is already publically available. At Annex A to this document we provide an overview of what is provided via the NRT Portal and what we are aware is provided by other industry stakeholders.

3.2 Our programme of work with the industry is already making significant progress. Key pieces of work include:

- April 2010. We encouraged National Rail Enquiries (NRE) to establish a Code of Practice the objective of which was to provide transparency and assurance to third party developers that their applications for access to real time train information would be considered fairly and on a non-discriminatory basis.
- January 2012. We published, for the first time, rail financial information encompassing Government, Network Rail and TOCs. This is an important step in improving the understanding of money flows across the sector which will be updated further in early 2013.
- March 2012. We published complaints data showing trends in passenger complaints over time.
- May 2012. We published disaggregated PPM¹⁵ data for all TOCs by route sector.
- June 2012. We published our research on ticketing complexity, increasing the pressure on TOCs to improve the quality and usefulness of information they provide to passengers.
- July 2012. We published annual right-time train¹⁶ information by sector.
- July 2012. We published the results of a study carried out jointly with South West Trains on the impact of providing more information on crowding on passenger behaviour.

3.3 In the autumn we plan to publish a consultation on the drivers of TOC costs which together with the publication of more disaggregated performance data, and the enhancements we are planning to the NRT Portal demonstrates our solid commitment to pushing the pace of the agenda.

3.4 So now passengers can access more information than previously about the performance of their train services which will empower them, individually or via groups acting in their collective interests, to challenge train companies and to lobby for improvements. Information about crowding will enable passengers to exercise choice about what trains to catch even where they feel captive to rail. Funders, taxpayers and passengers will have an increasing awareness of where their money is being spent and why. This greater awareness should again stimulate challenge and enable more informed choices about how to extract better value for money in the future. And passengers are already enjoying the benefits of new information products and services via their mobile phones and web browsers that would not have happened without third parties using their expertise and know how to develop data that the industry holds.

3.5 This is, however, just the start. Transparency will enable passengers, funders and taxpayers to send powerful signals to the sector about what it needs to do to transform itself into a modern, dynamic, safe, high performing, value for money, transport mode of choice.

¹⁵ See footnote 12

¹⁶ Trains arriving within 59 seconds of published arrival times (including early arrivals)

3.6 Equally ORR has to raise its own game and demonstrate, by opening up our processes to public scrutiny, that we are fulfilling what Parliament established us to achieve and that we are achieving value for money. We ask consultees in this document what else we should do to show that we are doing our job well and are focused on the right areas.

3.7 In the following paragraphs we provide an update on our current work; what has been achieved to date; the expected outcome in terms of our key strategic objectives of reducing industry costs and delivering a sharper focus on customers; and next steps. Following that we briefly describe some of our other initiatives including how transparency can be a valuable tool in promoting competition and ask questions about our approach.

3.8 Our recent transparency focus for the industry has been on:

(a) Exposing industry costs, revenues and efficiency, and benchmarking

(i) franchised rail industry financial reporting;

(ii) comparing the cost drivers of TOCs; and

(iii) disaggregation at operating route level;

(b) further disaggregation of performance data;

(c) further disaggregation of industry complaints data;

(d) dissemination of data via the NRT Portal; and

with the objective of ensuring that industry data is being exploited to its full potential in the development of consumer led services and products,

(e) licensed access for third party developers to real time train information via National Rail Enquiries.

3.9 Our focus for ORR has been on:

(a) publishing workforce management figures; monthly spend over £25,000; advisory consultancy and external recruitment spend;

(b) publishing the minutes of the ORR Board meetings and meetings of our forum of consumer experts;

(c) being inclusive and consultative in the development of our business plan and our priorities – drawing on the full range of stakeholder views;

(d) inserting more rigour into our use of impact assessments to promote a more open and robust approach to our decision making processes and to encourage stakeholder participation in the development of policy; and

(e) through our periodic review 2013 website encouraging active engagement in the detail and at all stages of the review process.

3.10 Also this year we are establishing a way in which to evaluate our own effectiveness and will be publishing the results of that evaluation in the Spring of next year.

Exposing industry costs and benchmarking

SECRETARY OF STATE FOR TRANSPORT, GUIDANCE TO THE OFFICE OF RAIL REGULATION, JULY 2012*

“Transparency and open data are at the heart of the Government’s efficiency and reform agenda. The Secretary of State asks ORR to continue its work to develop transparency on whole industry costs, revenues and efficiency, whole industry performance, and real time data, ensuring that the information that reaches rail users or the wider public is meaningful to them. The Secretary of State also wishes ORR to benchmark all relevant costs of all relevant parties, and publish the results.”

* Guidance given to the ORR under section 4(5)(a) of the Railways Act 1993

3.11 The Rail Value for Money (RVfM) study¹⁷ led by Sir Roy McNulty attributed the £2.5bn to £3.5bn (2008-09 prices) efficiency gap across the industry. For Network Rail, the efficiency gap was estimated at between £1.8bn and £2.3bn, with the remaining gap of £0.7bn to £1.2bn attributed to train operators and rolling stock companies. As set out in our 2013 Period Review (PR13) document [‘Setting the financial and incentive framework for Network rail in CP5, May 2012’](#) (our May PR13 document) we set out our commitment to play our part in encouraging Network Rail to achieve the savings identified in the study, but point out also that a significant proportion of savings remain for the rest of the industry to achieve.

3.12 In our ‘advice to Ministers’ documents we said that we saw PR13 as an important facilitator and driver of industry reform. In particular in relation to charges, we consider a more disaggregated approach - increasing transparency and access to information, facilitating greater localism, and supporting more disaggregation in the industry (for example through Network Rail devolution) - will provide for a more comparative approach to regulation and a better understanding of costs, revenues and subsidy across the sector.

3.13 Greater transparency of costs and revenues in the rail industry provides customers and funders with greater clarity as to how much they are paying and what they are receiving, which in turn informs their choices and the wider debate about value for money. The way Network Rail is financed, for example, is unconventional and can obscure the true cost of its activities including all the risks that it faces. We think that we should clearly set out in our review of Network Rail’s charges, our view of its cost of capital that reflects all of the risks it is exposed to¹⁸. We set out our full reasoning and approach to this in our May PR13 document.

3.14 As stated in the document, although our regulatory focus is on Network Rail, we are also committed to doing what we can to influence the wider industry to deliver savings and say that we will do this through the promotion of market mechanisms and transparency and we cite, in particular, our work on benchmarking and publication of whole industry costs.

¹⁷ *Raising the Potential of GB Rail – Detailed Report*, Final Independent Report of the Rail Value for Money Study, May 2011, available at <http://www.rail-reg.gov.uk/server/show/ConWebDoc.10401>

¹⁸ Network Rail’s revenue requirement includes its allowed return, which is calculated by multiplying Network Rail’s asset base represented by the value of its RAB by its cost of capital.

Franchised rail industry financial reporting

3.15 Franchised rail industry financial reporting involves the bringing together of franchised train operator and Network Rail financial information to present more geographically disaggregated financial information about railway activities than is currently available from companies' statutory or regulatory accounts.

3.16 ORR published its first report in January 2012 (['GB rail industry financial information 2010-11'](#)) which presented ORR's analysis of the latest financial data from train operators, Network Rail and governments. Total industry costs were £11bn in 2010-2011, of which 52.5% were incurred in operating and maintaining the rail network and 47.5% in operating trains. The majority of these costs were covered by income from passenger fares (£6.6bn) and government funding (£4bn). Our analysis identified significant regional variations across Great Britain's 10 regional operating routes.

3.17 We intend to publish a second report in early 2013.

Disaggregation at operating route level

3.18 In our May PR13 document we set out how in CP5 we intend to move toward a position where in CP6 we can (subject to consultation and without fettering our discretion) move to financially separate price controls on Network Rail at the route level.

3.19 We set out the benefits of further disaggregation as providing:

- (a) greater scope for comparative regulation;
- (b) better understanding of Network Rail's income and costs;
- (c) increased transparency of costs and revenues, which is essential for regional efficiency benefit sharing;
- (d) better whole-industry incentives; and
- (e) the means for better local decision making.

3.20 More detail about how we intend to move toward further disaggregation is set out in our [May PR13 document](#). As a first step, we have already required Network Rail to disaggregate its regulatory accounts between its operating routes. This disaggregated information will be audited and included in Network Rail's regulatory accounts for the year 2011-12 onwards, which will be published by the end of July 2012.

Comparing the cost drivers of TOCs

3.21 It is our intention to start the publication of a regular report on the cost drivers of passenger train operations with the aim of:

- (a) increasing transparency and accountability, taking a sector-wide approach where possible;
- (b) identifying the drivers of differences in TOC costs, including TOC management decisions and structural factors such as market conditions, or franchise requirements; and
- (c) where possible, supporting the identification and promotion of best practice in delivering efficiencies where these might translate across franchises.

3.22 The report will contain information on the evolution of TOC costs in the last two decades and a comparative analysis of TOC costs, taking into account market conditions, franchise requirements, performance, and outcomes such as PPM and customer satisfaction. We also intend to include

comparative analyses with other European countries to better understand the reasons behind the differences in costs and revenues with European counterparts described in the RVfM study.

3.23 We understand that TOCs are cautious about this area of our work and they believe that they already have an incentive to improve their efficiency as they compete with each other to be awarded franchises and face investor pressure and capital market disciplines. The exercise, however, is aimed at identifying cost-drivers also arising from franchise specification and market characteristics. The findings will, in our view, recognise the legal and structural framework in which TOCs operate.

3.24 Working with ATOC, individual TOCs and franchise authorities, we intend to publish a first report by the end of this calendar year.

Disaggregation of performance data

THE SCOTTISH MINISTERS' GUIDANCE TO THE OFFICE OF RAIL REGULATION, JULY 2012*

"The Scottish Ministers expect ORR to ensure that information produced by the rail industry is transparent, high quality, and consistent so as to allow passengers and others to better understand the performance of rail services in Scotland"

*Guidance given to the ORR under section 4(5)(aa) of the Railways Act 1993

3.25 Our joint research with Passenger Focus¹⁹ looked at what performance information passengers wanted published. The research found that passengers were concerned that the top level data published by train companies can mask highs and lows across services, times of day and at different points along the route. They said that they want this information to be broken down to more accurately show and reflect their own personal experience of train travel.

3.26 Following pressure from ORR the rail industry national task force²⁰ (NTF) developed a proposal for TOCs to further disaggregate their PPM data below the current overall TOC level. In November 2011 First Great Western became the first train operating company to publish daily PPM at sub-operator level on their website. In May 2012 ORR published disaggregated PPM data for all TOCs on the NRT Portal. This enables the public to see the punctuality of their trains for principal component sectors of all operators. We also, this month, published annual right time data by sector. Network Rail will now publish this periodically.

3.27 We are pleased to see that the industry has taken the first steps in publishing right time performance²¹ (trains arriving at their final destination early or within one minute of scheduled arrival time) information which has the potential to provide significantly more insight than is currently available. In July 2012 ORR and Network Rail published this data at national and sector level. Network Rail will update its data periodically. Subject to a data quality audit the industry has agreed to publish right time data at TOC level by the autumn. We are closely watching developments, including the industry's proposal to develop an

¹⁹ Putting rail information in the public domain, May 2011:

http://www.passengerfocus.org.uk/media/bad419c601347efc5b7965015b2dcd7a937d4e00/passenger_information_in_the_public_domain_final.pdf

²⁰ A joint task force consisting of train operating companies, Network Rail, vehicle owners, the Rail Safety and Standards Board, DfT and ORR

²¹ See footnote 15

application which will enable passengers to access right time train information down to individual service level, and depending on progress made will review the need to carry out our business plan intention to publish right time train information at individual TOC level in October 2012.

Disaggregation of complaints data

3.28 Complaints data can provide excellent information on the issues faced by and the perceptions of passengers. We already report on complaints through the NRT Portal. We think that the way that complaints are recorded and reported could, however, be better.

3.29 Through an industry focus group made up of train operators representing each owner group, we are now discussing how to achieve further disaggregation of complaints categories in a way that would provide better insight into customers' concerns.

3.30 We have agreed guidelines that ensure consistency in the way that train operators submit complaints data to us. On 31 May 2012 we published more detail about the method of the complaint, showing the proportion of complaints made by e-mail, letter, webform etc.

3.31 We are continuing to work through the focus group to develop common approaches to complaints recording to work toward publication of further disaggregated data over the next 12 months.

Dissemination of data via the National Rail Trends (NRT) Portal

3.32 In May 2011 ORR launched the NRT Portal, providing public access to a wide variety of rail statistics. The NRT Portal presents key data in tables and charts, and enables users to query detailed data via a Report Wizard.

3.33 We are committed to improving the functionality of the NRT Portal and in particular the accessibility and user-friendliness of the Report Wizard. We have surveyed our users, send regular newsletters asking for feedback, and chaired a NRT Portal User Group to understand how we can improve the site.

3.34 The NRT Portal is an important enabler of our transparency strategy; facilitating the dissemination and easy access of detailed rail statistics. Over 1,700 people have registered for their own NRT Portal account, and over 8,500 people have visited the site. The bounce rate (proportion of visits where the visitor left after loading the homepage) since launch is still very low at 24.3% and the average pageviews is high at 7.5 (the average website bounce rate is 40.5% and average pageviews is 4.5²²).

Q1: We would like to hear consultees' views on the content and functionality of the NRT Portal. For example:

- **Is our strategy of publishing official statistics and other key performance metrics, while encouraging the industry to publish everything else, the right approach?**
- **Is the NRT Portal an appropriate dissemination method for rail statistics?**
- **Does the current content and functionality meet users' needs, and if not, how can it be improved?**

²² Bounce Rate Demystified, KISS metrics, <http://blog.kissmetrics.com/bounce-rate/>

- **What role should other industry bodies and third parties (for example application developers, passenger bodies and rail companies) play in the dissemination of rail statistics?; and**
- **Are the reasons set out in chapter 2 for us having a continuing role in the publication of data and information the right ones?**

Access to real time train information

3.35 The industry holds a significant amount of data that could be used in the development of new products and services. The emergence of mobile real time train information applications, for example, have been enabled by access to the information database that is owned and operated by train operating companies through National Rail Enquiries (NRE).

3.36 Over the course of 2011-12, we have been reviewing the effectiveness of NRE's Code of Practice for access to the real time train information database. This Code was put in place by NRE following our 2009-10 competition investigation. Although we found no infringement of the law we were concerned that NRE's processes for granting access were not sufficiently transparent. We were of the view that such lack of transparency could deter applicants who might otherwise develop new, innovative information products and services for consumers.

3.37 The aim of the review of the Code was to ensure that the Code achieves its own stated objectives of more transparency and assurance that NRE will deal with potential applicants fairly and in a non-discriminatory basis. Our findings will be published shortly.

TRANSPORT FOR LONDON – OPEN DATA POLICY

Transport for London (TfL) believes it is vital that data is shared openly and freely so that the market can build travel information products that customers can use in the way that they want.

TfL now has 27 datasets that are open and freely available and considers that there are big benefits to it and to its customers. Interest in the data is significant. There are currently 30,900 feeds taken by 3768 registered users (developers) and TfL's approach has already facilitated the development of high-tech information products by those that are best placed to do so.

Speed to market is a further benefit. TfL has told us: *“developers bring products to the market much quicker than we can. For example, when on-line information became available for Barclays Cycle Hire availability, two different apps for the iPhone were developed within days. The speed to market was amazing. Making data openly available can help further stimulate that innovation and providing a proper API for developers to use makes it all more reliable and manageable, both for them and for us.”*

Also, in preparation for the Olympics, TfL have made critical data sets available on a free and open basis for use by the transport and travel information industry. This includes information on temporary road closures, Games road event routes, last mile routes to venues, and station waiting times. TfL's Director of Games Transport Mark Evers said:

“TfL's open data policy means that our regular live travel information feeds are already available online, leading to the development of some fantastic apps to help Londoners move around. Making this hotspot data freely accessible to developers will ensure that this information is widely available to customers in the form that best suits them”.

In summary, TfL sees the main benefit of making its data available on an open and free basis as extending the reach of its travel information far wider than TfL could do on its own, so that customers can make better use of its core products – transport services.

ORR's own processes

3.38 ORR is committed to being transparent in all that we do and we give an indication of what we currently make available at section 3.9 above

Q2: We want to hear views on what other areas of our work consultees believe should be published and why.

Other ORR transparency initiatives

Safety

3.39 A considerable amount of safety data is already made available through the Rail Safety and Standards Board (RSSB), our NRT Portal, and our Annual Health and Safety Report.

3.40 We are currently encouraging the industry to be more transparent with the data it gathers and to consider the publication of data on a duty holder rather than whole industry basis. One area we would like to explore, for example, is the potential to publish duty holder specific KPIs which could provide useful insights and examples of best practice.

3.41 We are also considering publishing:

(a) the results of our inspections of safety management systems which would enable comparisons to be made of underlying safety management capability; and/or

(b) comparisons between duty holders based on our enforcement activity and the strengths and weaknesses found from our audit and inspection activity.

Q3: We would be interested to hear consultees' views on our proposals around the publication of the results from our safety inspections and reports on the comparative performance of duty holders from our audit and inspection activities.

Q4: We would also be interested to hear views on the benefits and otherwise of duty holders reporting on best practice by the publication of specific KPIs.

Promoting competition through transparency

3.42 Transparency can also be an effective remedy where competition is being impeded by poor quality or limited information that can undermine negotiation and effective competition between companies.

3.43 Following our September 2010 to February 2011 review of access to rail freight sites in Great Britain, we discussed with the industry how transparency could remedy some of the issues that we found. Information about facilities such as available capacity, operational capability, ownership, opening hours, and the terms and conditions of access were considered to be particularly important in enabling train operating companies to plan and to compete for business.

3.44 This stage of the work has now concluded and an industry-developed package of transparency measures are now under development. We intend to publish a report in November 2012 on the extent to which greater transparency is promoting more competition in the supply of railfreight haulage services and, therefore, more choice for customers.

3.45 Similarly we will, this year, be reviewing the effectiveness of the transparency remedies put in place by the Competition Commission following its investigation of the rolling stock companies. We expect to complete this evaluation by the end of this business year.

Retail

3.46 Our June 2012 report on ticket complexity identified several areas where the information that train companies provide to passengers is inadequate. Key problems include:

- **Peak/Off-Peak split** – passengers demonstrated a lack of understanding about when ‘off-peak’ is and when they are permitted to travel
- **Advance** – passengers demonstrated a lack of understanding of the conditions, availability and benefits
- **Ticket Vending Machines** – passengers were not confident when using machines that they were choosing the right ticket for their journey.

3.47 Our research also identified that even passengers who bought the correct ticket, found the information provided so confusing as to make them deeply suspicious of the system.

3.48 We want consumers to be fully aware of the terms and conditions of sale; know what to claim and how to claim it when things go wrong; and who feel confident that they have selected the fare that best suits their needs. We will, therefore, keep a close interest in the effectiveness of industry plans which have been produced in order to remedy these problems and will consider the case for taking action under consumer law if this is appropriate.

3.49 Also this year we are exploring passengers’ awareness and the extent of transparency around compensation and refund arrangements. We expect to publish a report on this in the autumn.

Industry initiatives

Network Rail

3.50 We will be watching with interest the use that will be made of train running data published by Network Rail. We understand that from its early release in April 2012 a number of applications have already been initiated. Following further processing, however, of the data sources, we understand that the data will have more functionality and will be released in non-proprietary format via its website.

3.51 Network Rail presented a paper at the June NTF to open up discussion across the industry on how to respond to the continued pressure to publish performance metrics at a finer level of disaggregation. Network Rail is, for example, proposing to publish right time and average lateness figures applying to Spring 2012 onwards.

Q5: We want to hear consultees’ views as to the potential use that could be made of Network Rail historic performance data. In particular the extent to which this data provides a means by which the market, via third party developers, could meet consumer demand for real time train information products and services and/or information about performance at even more disaggregation than the current route sector publication described above.

3.52 ORR is keen to see Network Rail make the most of the opportunity transparency presents to drive improved performance and building on the progress made to date (see Annex A for examples of Network Rail initiatives), ORR is interested to hear consultees’ views on:

Q6: what areas of its business could Network Rail become more open about, and what information or data would you like to see made available as a result?

Train operators

3.53 As noted above, First Group became the first owning group to publish its daily PPM on its website. We believe this to be a very positive step and a potential model for other train operators to adopt.

3.54 In the text box below and in the description of our joint pilot with South West Trains, we describe the way in which the publication of crowding data can influence consumer behaviour to positive effect.

CASE STUDY FROM THE INDUSTRY –CHILTERN RAILWAYS

In September 2011 Chiltern railways introduced a new mainline timetable for services into and out of London which resulted in one service being much busier than anticipated. Chiltern planned to make further changes to their timetable in order to address this unforeseen event but in the interim looked for ways to ease crowding by giving passengers more information about crowding levels on peak services from certain stations.

Adopting an approach which had already been introduced by London Midland, Chiltern Railways produced posters using a traffic light system to demonstrate relative crowding between trains. Green showed that you would get a seat; amber that you might get a seat; and red that you would not get a seat. Basing their strategy on the ‘nudge theory’, which suggests that positive reinforcement can influence decision making of individuals, they made the information available in order to give passengers the opportunity to either change their decision on which train to catch or at least be informed of the consequences if they did not.

Feedback via social media has indicated that passengers were pleased to have been given the opportunity to make an informed choice. Chiltern are currently analysing train loading data to see if their initiative led to a change in behaviour).

Consequently, although the timetable has now changed, Chiltern has continued to produce this information and are looking at whether they can expand the number of stations at which they show the information or whether they could produce something similar for their website.

3.55 The results in the text box above mirrored our recent pilot which we carried out jointly with South West Trains to monitor how passengers would respond to the publication of data (via posters at stations and information on its website) on the level of train seat availability across morning peak services at five stations.

3.56 At the conclusion of a three month trial we examined, via a questionnaire, the effect on perceptions and behaviour of making train seating availability data available to passengers. The research showed that:

- (a) Over two thirds of respondents who had seen the information found it at least fairly useful; and
- (b) Just over a fifth of respondents who had seen the information have regularly or occasionally changed the trains they get as a result of the information published.

3.57 We are publishing our findings alongside this consultation and will also be considering how to use these and other initiatives to estimate the potential benefits of more transparency, for example by linking this observed behaviour to passenger satisfaction scores.

Rail settlement plan

3.58 The franchised train operators, through Rail Settlement Plan Ltd (RSP), which they own, have been providing bulk timetable, routing and fares data on a daily, weekly or periodic basis to commercial organisations. The commercial basis of this arrangement is that users are required to sign a licence agreement governing the proper use of the data and to pay an annual licence fee which ranges from £1000 to £5000 pa depending on the frequency of provision.

3.59 In November 2011, and in response to demand, it launched a service (Data-on-Demand) by which data users can download the timetable data, updated on a weekly basis, direct from the ATOC website at no cost. Users are asked to 'sign up' to a Creative Commons Attribution licence as part of the download process. This has generated some interest, with several hundred individual downloads, and perhaps a dozen regular downloaders. RSP plan, in due course, to expand Data-on-Demand to cover fares. We are told that this will require a replacement of the central fares system.

Q7: We are interested to hear views on the scope of our and industry activities above; whether the sector is moving in the right direction; whether the pace is right; and whether there are other areas that consultees believe would benefit from greater transparency and why.

4. The challenges of increasing transparency and next steps

Introduction

4.1 The call for more data and information is an inevitable consequence of:

- (a) increased consumer demand as we all start to become more aware of the use to which information and data can be put;
- (b) increased consumer expectation as increased data openness creates a sense of a 'right to know'; and
- (c) increased accessibility to the transforming power of the internet and search engines.

4.2 There are, however, challenges in the move toward more transparency, and these are not specific to the railway sector. We are mindful of, for example, the potential for data and information overload; commercial sensitivities and the possibility of unintended consequences; accessibility issues; and the costs. We consider each in turn below.

Focusing on passenger information needs

4.3 Although user benefits tend to rise as more information is provided, there is a cost to provision and this will be lost if the data released has no user value. In broad terms, greatest benefit can be achieved where there is strong and existing demand and an ability to interpret and act on the information published or data released. This suggests a targeted approach to transparency and a deeper understanding of the costs and benefits which we explore further below.

4.4 The joint research we carried out with Passenger Focus in 2011²³ looked at what information passengers want published, how it should be made publicly available, how they would use it and what benefits they believe it would bring. The main finding was that passengers would value more rail data being made available on punctuality, investment, comfort, fares, staff and journey times. They wanted this data to be broken down enough to reflect their own train journey and they believed that it would enable organisations (such as Passenger Focus) to more effectively champion issues on their behalf.

4.5 .We believe that focusing on what passengers have told us are their information priorities will bring immediate value and we are working with the industry to deliver transparency in these areas. We will refresh this research as part of our transparency appraisal which we mention below.

²³

http://www.passengerfocus.org.uk/media/bad419c601347efc5b7965015b2dcd7a937d4e00/passenger_information_in_the_public_domain_final.pdf

Commercial sensitivity and unintended consequences

4.6 As a regulator we gather a significant amount of data about companies that, if released, could provide advantage to competitors and result in serious and irreparable harm to the businesses that we deal with. We are also aware that some data will be protected by intellectual property rights with a potential commercial value to the owner.

4.7 We would expect the sector, however, to take a balanced view of the benefits versus risks of disclosure of information and release of data. Concern about negative criticism and reputational risk, for example, may not be seen as particularly compelling, given the overarching policy objective of incentivising better performance and value for money by that very exposure. Access to data otherwise protected by IPR can bring benefits that exceed the initial cost to the sector of its release.

4.8 We will continue to discuss such issues with the industry on a case by case basis. Our appraisal work, see below, is also relevant here.

The legal framework

4.9 We are, however, concerned to keep up the pace of change particularly where we believe transparency benefits are being denied. In such circumstances we will consider using our statutory powers to require information from licence holders which we would then consider publishing.

Railways Act 1993 (as amended)

4.10 ORR has general information gathering powers under section 80 of the Railways Act 1993. This power imposes a duty on licence holders to provide information to ORR, the Secretary of State or Scottish Ministers upon request. We would usually approach licence holders informally first to request information that we require and, where that information was not forthcoming, we could then serve a notice on the licence holder requiring them to provide us with it. The notice would set out the form and manner in which the information should be provided and the date by which it should be provided to us. Our recourse, should the licence holder fail to comply with the notice, would be for us to apply to the High Court to obtain an order compelling the licence holder to provide the information to us.

4.11 If we were going to exercise this power to request the same type of information from a number of different licence holders we would, at that time, consider publishing guidance which would set out the sort of information that we would be seeking via this route, the form in which we would expect it to be provided and whether we intended publishing the information obtained. This would ensure absolute transparency in our processes and demonstrate that a common and consistent approach is being applied to all operators.

4.12 The Railways Act would allow us to publish information that is provided to us, subject to exclusions around information which would seriously and prejudicially affect the interests of an individual/business.

4.13 We also obtain information from licence holders and others in the industry through the exercise of our regulatory functions, such as under health and safety legislation. We could only publish information gained in this way to fulfill transparency requirements if the legislation under which we had obtained the information permitted us to do so.

4.14 At this time we consider that our section 80 Railways Act power is likely to enable us to obtain the information that we require to fulfill our transparency objectives. However, we will keep this under review

and, if we encounter difficulties with this approach, we may consider proposing specific licence modifications²⁴ to address any issues.

Q8: We are interested in consultees' views on the use of our statutory powers and how they believe they could be applied in the context of transparency.

Accessibility and data integrity

4.15 Some information is so complex, so reliant on context and so difficult to measure and assess that its value is lost in interpretation and ensuing disagreement as to what the information is actually saying. Transparency is unlikely to be effective unless these factors are controlled.

4.16 The value of data is also increased by how easily it can be accessed, manipulated and linked to other data. For example, we ensure that data presented via the NRT Portal is available in a form that enables users to utilise it effectively. We are committed to improving access to it and its usability, making it even more accessible.

4.17 Transparency brings with it a responsibility to get the data right and not to inadvertently mislead. Concern about data integrity can act as a drag on transparency, creating a perceived cost and risk that prevents or limits progress. Experience has demonstrated, however, that transparency itself can drive up data quality in two ways: firstly, it creates an incentive on the originator to get the data right; secondly, critical external analysis can lead to better data next time round.

4.18 The data we publish is mostly sourced from third party suppliers and stakeholders. While we have a series of automated and manual data validation processes, there are inherent caveats in the integrity of the data. We make explicit references to these caveats in all publications and clearly state when data is derived from surveys, imputation or manual computational process. We also manage the Independent Reporter for assurance of Network Rail's data. We publish all Part A (data assurance) Independent Reporter findings [on our website](#)²⁵. The Independent Reporter provides confidence grades (reliability and accuracy) for all regulated measures that Network Rail reports to us.

4.19 We consider, for the reasons set out in the section entitled 'our approach' in chapter 2, that there is value in our continuing to publish data.

Q9: Presentation of the data or information is, therefore, key and we would like to hear views as to the likely risks and pitfalls and how best to address them.

Appraising the costs and benefits

4.20 We strongly hold that there is significant benefit to be achieved from transparency in spite of all the risks outlined above. Those benefits can be enjoyed not only by consumers but also by businesses themselves.

²⁴ Licences (or Statements of National Regulatory Provisions) can be modified by consent or by reference to the competition commission, under section 13(1) of the Railways Act 1993 or schedule 3 of the Railway (Licensing of Railway Undertakings) Regulations 2005

²⁵ Independent Reporters, Office of Rail Regulation, <http://www.rail-reg.gov.uk/server/show/nav.147>

4.21 We describe in chapter 4 the positive feedback resulting from Chiltern Railways' decision to publish crowding data for certain services into and out of London and the interesting results from our joint project with South West Trains.

Q10: We would be interested to hear of any other initiatives in the sector or elsewhere where transparency has resulted in positive change.

Q11: We are also interested in hearing about the risks and any unintended consequences.

4.22 Our intention is to commission a study to better understand the drivers and the scale of additional costs of implementing different forms of transparency in the sector; to identify the risks for the purposes of mitigation; to identify demand and to better articulate the benefits. This should assist us and the industry in prioritising where to go next in terms of transparency in order to achieve most value.

Q12: Consultees' views are sought on how we should go about this work and what factors we should take into account, including how we should measure whether our objectives for transparency are being achieved.

Next steps

4.23 As part of the appraisal work above we intend to hold a seminar involving franchising authorities; industry stakeholders and other parties interested in the transparency agenda.

4.24 We would like to hear from those who would be interested in attending such a seminar particularly if they have had experience of the challenges and benefits of delivering transparency in another sector.

4.25 The responses to this consultation, feedback from the seminar and the appraisal work we describe above will help us to develop the approach that we set out in this paper. We intend to publish our findings by way of a conclusions paper in the Spring of 2013.

5. Questions for consultees

Introduction

ORR is keen to get as much feedback as possible on our proposed approach to transparency. We have asked lots of questions throughout this document and this section summaries these for ease of reference

National Rail Trends Portal

Q1: We would like to hear consultees' views on the content and functionality of the NRT Portal. For example:

- Is our strategy of publishing official statistics and other key performance metrics, while encouraging the industry to publish everything else, the right approach?
- Is the NRT Portal an appropriate dissemination method for rail statistics?
- Does the current content and functionality meet users' needs, and if not, how can it be improved?
- What role should other industry bodies and third parties (for example application developers, passenger bodies and rail companies) play in the dissemination of rail statistics?
- Are the reasons set out in chapter 2 for us having a continuing role in the publication of data and information the right ones? (pages 26-27)

ORR's own processes

Q2: We are interested to hear views on what other areas of our work consultees believe should be published and why. (page 28)

Safety

Q3: We would be interested to hear consultees' views on our proposals around the publication of the results from our safety inspections and reports on the comparative performance of duty holders from our audit and inspection activities. (page 28)

Q4: We would also be interested to hear views on the benefits and otherwise of duty holders reporting on best practice by the publication of specific KPIs. (page 28)

Network Rail initiatives

Q5: We would be interested to hear consultees' views as to the potential use that could be made of Network Rail historic performance data. In particular the extent to which this data provides a means by which the market, via third party developers, could meet consumer demand for real time train information products and services and/or information about performance at even more disaggregation than the current route sector publication. (page 29)

Q6: In what areas of its business could Network Rail, in your view, become more open, and what information or data would you like to see made available as a result? (page 30)

The sector – our and industry initiatives

Q7: We are interested in hearing views on the scope of our and industry activities; whether the sector is moving in the right direction; whether the pace is right; and whether there are other areas that consultees believe would benefit from greater transparency and why (page 31)

The legal framework

Q8: We are interested in consultees' views on the use of our statutory powers and how they believe they could be applied in the context of transparency. (page 34)

Accessibility and data integrity

Q9: Presentation of the data or information is key and we would like to hear views as to the likely risks and pitfalls and how best to address them. (page 34)

Appraising the costs and benefits

Q10: We would be interested to hear of any other initiatives in the sector or elsewhere where transparency has resulted in positive change. (page 35)

Q11: We are also interested in hearing about the risks and any unintended consequences. (page 35)

Q12: Consultees views are sought on how we should go about evaluating the risks and benefits of more transparency and what factors we should take into account, including how we should measure whether our objectives for transparency are being achieved. (page 35)

Annex A: information ORR holds and publishes via the data portal

Title of data	Description	Source	What we use it for	Publish?
Health and safety				
Safety – RIDDOR (the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 ²⁶)	We collect data on RIDDOR reportable incidents.	The data comes from the ORR online webform, RSSB SMIS (Safety Management Information System) and LUL's LUSEA (London Underground Safety Environmental Assurance) system.	Inspectors for information. There is also a legal requirement for us to collect it.	Not at present
Rail Safety and Standards Board (RSSB) Precursor Indicator Model (PIM) Safety Key Performance Indicator (KPI)	PIM data. Covers rail industry safety indicators	RSSB	To monitor	ORR website ²⁷
London Underground (LUL) PIM Safety KPI	LUL PIM-like data, covers LUL safety indicators	LUL	To monitor	Not at present.
Potentially Higher Risk Train Accidents (PHRTA) data	PHRTAs	RSSB	To monitor	ORR website

²⁶ Please go to <http://www.hse.gov.uk/riddor/> for more information

²⁷ Most of the data is available on the data portal, please go to <http://dataportal.orr.gov.uk/> . If you have trouble finding what you need, please contact us at rstats@orr.gsi.gov.uk

Title of data	Description	Source	What we use it for	Publish?
Level Crossings near miss	Data on near misses at NR level crossings	RSSB	To monitor	ORR website
Wrong Side Failures	Data on wrong side failures	RSSB	To monitor	Not published
PHRTAs	Potentially Higher Risk Train Accidents (PHRTA) data	NR	To monitor	No (RSSB version is published)
Level Crossings near miss	Data on near misses at NR level crossings	NR	To monitor	No, Network Rail (NR) do in their Annual return)
Wrong Side Failures	Data on wrong side failures	NR	To monitor	No (NR do in Annual return)
Occupational Health data	The data has been developed for an occupational health programme to improve the way in which the industry tackles health issues.	Baseline data includes data from rail industry and LUL.	Relates to ORR's vision of a rail industry that consistently achieves best practice in occupational health.	For a specific project/ time period
Annual Safety Report (ASR)	ASR datasets supplied by RSSB Quarterly ASR data	RSSB	To publish and To monitor	ORR website
Annual Safety Intelligence Database (SIDB)	SIDB data	RSSB	Bi-annual health and safety board report and health and safety report ²⁸	ORR website
LUL - ASR	Similar LUL Annual Safety Report datasets	LUL	To publish	ORR website
Signal Passed At Danger (SPAD)	SPAD data	RSSB	To publish	ORR website

²⁸ Please go to <http://www.rail-reg.gov.uk/server/show/nav.2614> for the 2011 report. 2012 data will be published in July 2012.

Title of data	Description	Source	What we use it for	Publish?
Main line train service performance				
Public Performance Measure (PPM)	PPM which measures train performance for passenger operators (franchised and open access operators) We also publish it at sub-operator level from 2010-11 P1	NR	To monitor	ORR website
Right time performance	Right time performance by TOC and sector	NR	To monitor	Currently publish by sector. TOC data may be published in the future.
Cancellations and significant lateness (CaSL)	CaSL for passenger operators (franchised and open access operators)	NR	To monitor	ORR website
Freight Performance Measure (FPM)	FPM data for freight operators	NR	To monitor	ORR website
Operator Delay Minutes	Delay minutes caused by or attributed to operators (passenger and freight)	NR	To monitor	No (NR publish)
NR Delay Minutes	Delay minutes caused by NR	NR	To monitor	NR Monitor ²⁹ (NRM)

²⁹ Please go to <http://www.rail-reg.gov.uk/server/show/nav.293> for the latest version.

Title of data	Description	Source	What we use it for	Publish?
Incident Counts	Number of incidents that an operator is responsible for (passenger and freight)	NR	To monitor	No
Top 50 incidents	A list of the top 50 incidents in the period by total delay minutes	NR	To monitor	No
Possession Overrun Management Report (POMR)	POMR includes impact by projects and NR routes.	NR	To monitor	No
Industry Performance Period Report (IPPR)	The IPPR that tracks the performance of franchised, freight and open-access train operators.	NR	To monitor	No (NR publish it in part)
IPPR Delay Minutes Matrix	Data on operator on operator impact delay minutes	Net	To monitor	No
Network Availability (Passenger and Freight)	The availability of the rail network measured by the impact (value or index of) on passengers and freight traffic. There are subcategory KPIs associated with Network Availability.	NR	To monitor	ORR website and NRM
Use of the main line network				
Timetabled Train Kilometres (TTKM)	TTKM data showing planned mileage for a typical day of the week, a Saturday, and a Sunday, for passenger operators at each timetable change.	Deltarail	To publish and to normalise.	ORR website

Title of data	Description	Source	What we use it for	Publish?
Mileage	<p>Actual mileage for passenger operators (franchise and open access operators) and freight operators.</p> <p>Actual operator mileage (passengers and freight) by NR Routes from 2011-12</p>	NR	<p>To publish and to normalise.</p> <p>To monitor</p>	<p>ORR website</p> <p>No</p>
Freight Moved	<p>The amount of freight carried on the network by different freight operators. This takes into account the net weight of the goods and the distance carried.</p>	NR	To publish	ORR website
Freight Lifted	<p>The aggregate number of freight carried by four freight operators - DB Schenker, Direct Rail Services (DRSL), Freightliner, Great Britain Rail Freight (GBRf).</p>	Freight operators	To publish	ORR website
Number of freight train movements	<p>This measure shows the total number of train movements (including infrastructure trains) on the network.</p>	NR	To publish	ORR website

Title of data	Description	Source	What we use it for	Publish?
Impact on road haulage	Displays the number of lorry journeys and kilometres that have been avoided by using rail to transport freight.	Derived from Department for Transport's (DfT's) Continuing survey of roads goods vehicles	To publish	ORR website
Rail freight market share	Shows the percentage market share of freight moved and freight lifted for rail compared to other modes.	Rail data: ORR Road and water data: DfT Pipeline data: Department of Energy and Climate Change (DECC)	To publish	ORR website
Traffic Growth	NR's forecast of operator mileage in miles and kilometres.	NR	To monitor	No
Passenger journeys	The number of passenger journeys made on the mainline rail network for franchised and non-franchised operators (by ticket type and sector)	LENNON ³⁰ and Train Operating Companies (TOCs)	To publish and to normalise	ORR website
Passenger kilometres	The number of passenger kilometres travelled on the mainline rail network for franchised and non-franchised operators (by ticket type and sector)	LENNON and TOCs	To publish and to normalise	ORR website

³⁰ LENNON is the industry ticketing database

Title of data	Description	Source	What we use it for	Publish?
Passenger revenue	Total revenue for franchised and non-franchised operators, including revenue per journey and revenue per kilometre.	LENNON	To publish	ORR website
Regional usage	Estimates of the number of journeys to/from/within each Government Office Region based on an origin/destination matrix	DeltaRail (paid for by ORR)	To publish	ORR website
Network condition (NR)				
Infrastructure	Key statistics on the infrastructure network (railways) for the length of route open for rail traffic managed by NR. Includes how many are electrified.	NR	To publish	ORR website
TSR	Total number and types of Temporary Speed Restrictions.	NR	To monitor	ORR website
Network Condition Report	Data of key indicators on the condition of NR Assets.	NR	To monitor	No (NR publish in Annual return)
Broken Rails	Number of broken rails	NR	To monitor	ORR website

Title of data	Description	Source	What we use it for	Publish?
Track buckles KPI report	Number of track buckles by NR route	NR	To monitor. Supplied periodically	No (NR publish in annual return)
Financial data				
Government Support	Data on subsidy provided by the Government. Includes Central government grants, grants made to Passenger Transport Executives (PTEs), and direct network support includes grants to NR.	DfT, Welsh Assembly and Transport Scotland	To publish	ORR website
Investment	Returned investment data on the railways by stakeholders.	ONS (paid for by ORR)	To publish	ORR website
Finance Pack	NR's financial data. Includes renewal volume data	NR	To monitor	NRM and annual efficiency assessment
Other train operator/passenger data				
National Rail Enquiry Services (NRES)	(NRES) data	Association of Train Operating Companies (ATOC)	To publish	ORR website

Title of data	Description	Source	What we use it for	Publish?
Fares Index	Measures the average change in fare prices from year to year and presented as an index. Split by sector.	LENNON	To publish	ORR website
Average age of Rolling Stock	Data on the average age of rolling stock leased from ROSCOs by franchise operators.	DfT	To publish	ORR website
TOCs Key Statistics	The annual key statistics on operators, includes the number of stations they operate and their number of employees	TOCs	To publish	ORR website
Complaints	The number of complaints made by rail travellers.	Train operators, London Travel Watch, Passenger Focus	To publish	ORR website
Crowding data	Data on the crowding levels of trains based on passenger counts.	DfT	To publish	ORR website
Station Usage	An estimate of the number of people entering, exiting and interchanging at stations using an origin-destination matrix.	DeltaRail (paid for by ORR)	To publish	ORR website
Miscellaneous other data				
Sustainable Development	Data on environmental indicators	Freight operating companies, ATOC, NR, and Eurostar	To publish	ORR website

Title of data	Description	Source	What we use it for	Publish?
LUL Passenger Journeys	LUL passenger journeys	LUL	To monitor	No (LUL publish)
LUL Broken Rails	LUL number of rail breaks	LUL	To monitor	ORR website
Rail Market Monitoring Survey (RMMS) questionnaire	Aggregated quantitative and qualitative data on the UK rail market	Various	To submit to Commission RMMS group	ORR website
Regulatory Bodies working group questionnaire	Aggregated quantitative and qualitative on the composition and work of regulatory body	ORR	To submit to Commission RB working group	ORR website
Lib index	Factual questionnaire giving details of legislation and market access conditions in the UK	Compiled by ORR, from law, NR, various.	Submitted to IBM / DB rail liberalisation survey	Every 4 years, by DB
Common Safety Indicator data - annual safety report to European Railway Agency (ERA)	European safety data	RSSB collate, ORR manipulate	To submit to ERA (legal requirement)	ORR website (ERA website)
ERA questionnaires	Various – either qualitative or quantitative information on safety	Various sources, ORR collate	To submit to ERA in support of legislative development, impact assessments etc.	No (ERA will often produce report summarising responses)
Ad-hoc queries from commission, ERA, and other national safety authorities	Various – typically either qualitative or quantitative information.	Various sources, ORR collate	Various	Various
Eurostat data (various annexes)	European statistics published by the European Commission	Various	To submit to Eurostat	No (Published by Eurostat)

Title of data	Description	Source	What we use it for	Publish?
High Speed1 (HS1) data	Data on HS1 Performance Floor, Eurostat data and Asset data (NB: Asset data to be supplied has yet to be finalised).	HS1	To monitor	No (HS1 plan to do so)
T – 12 data files	Weekly data showing how long in advance NR and operators have liaised before new or revised train schedules are accepted, and uploaded into the timetabling system	NR	To monitor	No
NR's Annual Return operating route data	NR's Annual Returns operating route data.	NR	To publish	ORR website

Please note:

- ATOC were asked if they had any publications they could add and they said the following: 'We don't routinely publish any data – we send reports to our members but these are on a very restricted mailing list. We publish press releases containing pieces of analysis but these vary markedly over the course of a year. I believe press releases are the only publicly available analysis/data that we produce.'
- DFT said they pointed users to their transparency section which sets out what information they publish, but not in the format above, <http://www.dft.gov.uk/transparency/>. They suggested the impact and input indicators are probably the most relevant and they can be found at <http://www.dft.gov.uk/publications/business-indicators>.
- RSSB said their main safety performance publications (which all contain data in one form or another and are available from www.rssb.co.uk) are:
 - Annual Safety Performance Report (ASPR) – published annually at end of June – comprehensive report on a range of safety indicators; accompanying Excel data files also published
 - Half Year Safety Performance Report – published annually in late November – an update to the ASPR
 - Overview of safety performance – published annually in January - provisional summary of safety performance for the calendar year (other publications are based on financial years)
 - Monthly summaries – published monthly – short note with key indicators & some event summaries

- Signals passed at Danger (SPAD) & Train protection and warning system (TPWS) updates – published monthly – short note summarising recent SPAD numbers and changes in SPAD risk
- SPAD & TPWS quarterly report – published quarterly – detailed analysis of SPAD incidence and risk, and TPWS
- Special topic reports – published on an ad hoc basis (usually in response to a specific request from a cross-industry group)

➤ Network Rail sent us the following table which summarises their publications.

Category	Description
Transparency	
Board meetings	Agenda & minutes for each meeting of the full Board. Published monthly.
Budget & costs of major infrastructure projects	Budgets, actual costs and status updates for major improvement projects. Includes explanations of any differences between budget and actual costs. Published quarterly.
Data feeds	Intended for developers, feeds from the operational systems report what's happening on the railway minute-by-minute.
Executive directors' business expenses	Quarterly summaries of costs incurred by our executive directors under our business expenses and travel policy.
Expenditure on hotels	What we spent on hotels in 2011-12 under our business expenses and travel policy. Updated annually.
Expenditure on ICT equipment	What we spent on IT equipment in 2011-12. These figures do not include spending on systems which help us run the railway. Updated annually.
Expenditure on staff travel	What we spent on travel in 2011-12 under our business expenses and travel policy. Updated annually.
Level crossing risk	Information about 50 of the crossings we consider highest risk. All 6500 will eventually appear.
Procurement work bank planning	Tender schedules for some of our procurement activity. More to be added later in 2012.
Sectional appendix	Full NESAs, updated quarterly.

Category	Description
Staff salary breakdown	Number of employees with salaries in excess of £100k, broken down by £25k band.
Working timetable	Full WTT.
Corporate Publications	
Annual report & accounts	<u>Financial and performance data</u> ; <u>income statement</u> ; <u>statements of comprehensive income</u> ; <u>statements of changes in equity (Group)</u> ; <u>statements of changes in equity (Company)</u> ; <u>balance sheets</u> ; <u>statements of cash flows</u> .
Annual return	Annual round up of operational performance, network capability/availability, asset management and current initiatives on rail improvement /safety.
Corporate responsibility report	About NR's corporate and sustainability responsibilities which includes our social ,economic and environmental commitments .
Delivery plan & delivery plan updates	Sets out NR's commitments for the five years to 2014 including service improvement, modernising the railway and reducing operation costs.
Financial	
Interim results	Figures issued during the financial year that indicate business performance since the last full year accounts were published.
International financial report	
Regulatory financial statements	
Network Performance	
Network statement	
Public performance measure	
Alliancing policy statement	

Category	Description
Network specifications	Current capability and use of each strategic route and those enhancements that are currently committed or under consideration.
Route utilisation strategies	Proposals for future development of train services.
Asset Performance	
Asset management policy & strategy	Details an overall approach to the sustainable management of NR's operational infrastructure whilst identifying core principles that underpin the delivery and implementation of that approach.
Bridge strikes	Number of bridge strikes per year since 2000, and list of bridges struck most in 2010-11.

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