# Transport for London

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Dear Philip,

**Consultation on ORR's Approach to Transparency**

This letter sets out TfL's responses to the questions posed by the consultation. TfL is content for the contents of this response to be published. TfL would also like to take the opportunity to thank the ORR for the meeting held between us on 15th October to discuss matters relating to transparency. TfL looks forward to working with the ORR to achieve progress in this important area and deliver benefits to the users and funders of the rail industry.

**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?**

Where data is of broad interest to the industry it should be gathered from the relevant parties and published by the ORR to ensure that key data is available in one location. Where data is only of local interest (e.g. crowding information for specific trains) then it should be published locally by the party that collects it to an agreed standard. Where third parties are responsible for data publication the ORR should maintain a publicly available record of the location of such data (e.g. through a list of web links) as well as a brief description of the information offered to ensure that knowledge of the availability of such data is as widespread as possible.

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**• Is the NRT Portal an appropriate dissemination method for rail statistics?**

Yes. The data available from the Portal needs to be fully visible and clearly understood by those using the site.

**• Does the current content and functionality meet users' needs, and if not, how can it be improved?**

Report content could usefully be summarized alongside the report titles using a tabular format, as it is often not clear from the report titles exactly what information is offered by the report.

**• 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**

Industry bodies should provide data where they are best placed to do so, following appropriate guidelines to ensure the comparability and quality of the information produced. An example of this would be information on crowding on specific trains which is of interest to a small subset of rail users. Where information is of general interest to a wide audience it should be published by the ORR and sourced from industry members as appropriate.

Application developers play an important role in making information available to the public in new and more accessible formats, making full use of devices offering mobile internet access. The rail industry should support this process by making its data available free of charge and without qualifications on its usage, as TfL does through its Open Data Policy. This will encourage the development of new Applications that benefit rail passengers at a faster rate than would otherwise be possible.

**• Are the reasons set out in chapter 2 for us having a continuing role in the publication of data and information the right ones?**

Yes.

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

The ORR should publish the work done on its behalf by consultancies, for example in relation to rail industry efficiency. This will ensure that other parties can make use of this information and challenge it where appropriate.

**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.**

TfL would welcome transparency in this area. TfL would support the publication of result of inspections and reports as long as these are written with reference to the safety performance and ongoing safety improvement programmes of the party involved. Without such references there is a danger that any weaknesses or imperfections in the safety management systems may be taken out of context and / or viewed in a disproportionate fashion. Publications in this area could be linked to the programmes of work that are being developed by the rail industry for the next Control Period to provide additional context for the reports.

**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.**

TfL welcomes transparent arrangements and would support reporting on best practice. LU already provides data to ORR for its annual report via the RSSB so its performance can be compared against that of other operators in the UK rail industry. TfL would welcome the inclusion of context and commentary to support the KPI data and provide additional background to the trends shown, particularly as railways in the UK operate under different rules and have different infrastructure. There are considerable contrasts between the operation of National Rail, Metro and heritage services for example.

**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.**

It would be useful for Network Rail's (NwR's) historic performance data to be made available to all parties in a disaggregated format to enable further detailed analysis of trends in punctuality. Such data could be used by a variety of interested parties to enable a better understanding of performance, increasing the accountability of the industry for delivery in this area. The release of such data would enable third party developers to create new applications of value to the public, for example details of train performance down to a disaggregate level such as service group.

**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?**

Greater visibility of NwR's asset maintenance plans and their application

would improve understanding of the regimes applied and their effectiveness. Network Rail currently manages this on a route specific basis; a further breakdown of how NwR's maintenance regime works and the results it delivers would be useful at a Train Operating Company (TOC) level. This would allow all parties to engage in more meaningful discussions over performance and develop a cohesive, prioritized strategy for improvement. This approach would also allow all interested parties to improve their understanding of planned cyclical works and would give TOCs measures to review improvements through better reliability and availability.

Further information on commercial incentives and local accountability within NwR would be helpful. This would enable TfL to better understand the commercial drivers behind the approach taken by NwR to operations and maintenance, enabling a more meaningful dialogue on these matters.

The disaggregation of NwR's costs (as recovered though the access charging regime) to a more local level would certainly be useful. It is generally difficult and time consuming to generate data on costs to a high level of disaggregation yet this is often needed to facilitate comparisons and various types of business analysis. At the very least NwR should provide data disaggregated by TOC rather than by Route alone.

NwR should make information on the average lateness of train services along their entire route available, to improve understanding of performance.

NwR should make it more straightforward for the industry to access consultation documentation on its website. It can often be difficult to find consultation documentation on the NwR website, with the consequential risk that valuable opportunities to participate in consultations are lost. NwR should provide a single, clearly advertised location on their website that displays all the material available on current consultations. Interested parties can then review this location on a regular basis so there is little risk of consultations being missed by those who need to respond to them.

**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.**

TfL considers that every effort should be made to promote the availability of industry data to third parties to ensure that it is made available in useful formats to both stakeholders and the public. The benefits of TfL's Open Data Policy are discussed in the consultation document and TfL is keen to see these extended across the rail industry as a whole.

It is important to ensure that data is made available in a form that is sufficiently disaggregated to enable meaningful comparisons and analysis to be performed. Availability of data at a Route or TOC level is often useful but

does not necessarily meet the requirements of stakeholders. For example TfL often has difficulty obtaining data relating specifically to the London area because this does not fit readily within the standard categorizations used by the industry. TfL would therefore suggest that it would be helpful for the rail industry to provide data grouped by type of service operated to enable the comparisons and analysis required. A potential categorization for this data is suggested below:

- Inner suburban;

- Outer suburban;

- Regional;

- Rural;

- Airport;

- Intercity.

Any disaggregation of data needs to draw on existing industry systems to ensure that significant additional costs are not incurred to deliver the additional information required.

Consideration should also be given to the range of data available in a disaggregated form to ensure it is comprehensive and representative of all aspects of rail operation, covering all costs and revenues. Certain costs are currently unregulated (including rolling stock leasing and staffing costs); these are very important to the industry but it is often hard to source reliable information on them.

It would be helpful if the ORR could provide regular updates to the price lists and other lists associated with Regulated Charges, taking account of yearly changes in inflation and the addition of extra items including charges covering new types of rolling stock. This information was provided at the start of Control Period Four but has never been updated to take account of changes since 2009.

**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.**

The emphasis should be on encouraging voluntary compliance with requirements (avoiding Licence changes where possible), by emphasizing the benefits to the industry as a whole and ensuring that any new reporting requirements do not generate significant additional costs for the industry to bear. Any new Licence Conditions associated with data provision should be subject to a full consultation process and should take account of Licence

Conditions specific to certain organisations such as London Underground.

**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.**

It is important that data is presented in a clear and consistent manner. The ORR and the industry should work collectively to generate guidelines on how data should be calculated, making use of standard industry processes and systems wherever possible to minimise the level of activity required (and associated cost) as well as the risk of human error. The calculation process and caveats associated with any data should be made clear wherever this data is presented.

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

TfL's Open Data Policy is referred to in the consultation document. It provides a powerful and compelling example of how greater transparency and availability of data has driven the development of Applications that have delivered tangible benefits to users of the public transport network in London.

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

One risk is that the data provided is of insufficient quality, which undermines its credibility as well as adversely affecting the image of the rail industry as a whole. Clear guidelines and a culture of continuous improvement are needed to mitigate this risk, complimented by an approach that does not require significant additional expenditure to deliver data to the level of disaggregation required.

**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.** The work defined above includes assessments of the following:

- Drivers and the scale of the additional costs of implementing different forms of transparency in the sector;
- Identify the risks for the purposes of mitigation;
- Identifying the demand for greater transparency and better articulating the benefits.

To date TfL has not explicitly monitored the impact of greater transparency on customer satisfaction. This could be measured through responses to questions related to the provision of customer information, for example where greater transparency leads to the development of new applications giving

customers improved access to real time information.

Improved transparency could also have a positive impact on the public reputation of the organisations involved, particularly where these already have a strong brand identity. TfL performs surveys to determine its reputation amongst the public and intends to develop a scorecard to track the results.

The cost of providing information needs to be minimised to encourage compliance. Use should be made of existing industry accounting systems wherever possible to minimise costs and ensure the reliability and consistency of the data.

Yours sincerely,

**Alan Smart,**
**Principal Planner – Forecasting,**
**Rail Planning team.**