

RAIL SECTOR LIAISON PANEL

Minutes

Meeting 21.9.21

10-11.30 am via Zoom

Present:

Chair: Jon Walters
 Vice-Chair: Greg Suligowski
 Judith Turner
 Rosie Tackley
 Susan James
 Mike Ross
 Marcus Clements
 Christopher Hodges
 Sarah Robinson

Apologies:

Richard Griffin
 Matthew Thomas
 John Smith

Minutes prepared by Rail Ombudsman secretariat.

The Chair declared the meeting open at 10am

Action Log

Action	Owner	Date Complete
Circulate Case Study as an extraordinary activity	JT/RT	
Review instances of UFN challenges as to whether this is an industry-wide theme	RT/PH	
JW to chase KR re Chair-to-Chair Meeting	JW	
Change format of minutes to ensure actions are tracked	JT	1 October 2021
Comments/amendments to TOR to JT	ALL	
Circulate CH Papers to Panel	JT	21 September 2021

1. Previous Minutes & Matters Arising

No actions noted as outstanding and minutes accepted.

2. Rail Ombudsman Update

a. Operational Update

JT provided an overview update, noting case numbers were beginning to build and referring to data provided to the Scheme Council that showed a potential trend with a steady increase to the end of the year.

JT demonstrated the Recommendations dashboard, a key development in the reporting and insight function of the Ombudsman enabling feedback of relevant recommendations to individual RSPs and the industry more broadly. GS noted the positive impact of such learnings which JW highlighted as a core benefit of the Ombudsman.

b. Case Studies from the Ombudsman

RT discussed some relevant case studies, focussing on the Rail Ombudsman recommendation that cases are viewed through a broader lens to ensure all issues are covered, for example Consumer Rights Act 2015. There is a case in-flight currently that demonstrates the importance of this, and this will be published on the website and sent to the RSLP for note.

One issue was noted in the availability of historic covid-policy information that was not rail industry specific, for example whether face coverings were mandatory in taxis at a certain point in time. GS highlighted that some historic data was available on the .gov website.

MR asked whether there was a current issue with unpaid fare notices and challenges to these across the board and the Rail Ombudsman took an action to look into this.

c. Consultation Responses – BEIS & ORR

JW began by introducing the **BEIS Consultation** on reforming competition and consumer policy. This has a significant section dedicated to ADR including process, time limits, future changes to the way ADR works and how it will be enforced. JT and JW were due to attend the CTSI conference where this would be discussed in more detail.

CH added that this coupled with the MOJ Call for Evidence envisaged far sighted reform with an integrated dispute resolution working together. CH highlighted that in the consumer sector the Ombudsman model was working, being quicker to modernise processes and leading to better redress therefore Ombudsman were at the forefront of improving the system. Further, if you look at Ombudsman as a part of the regulatory and behavioural system, they play an essential role for example in data capture and tools such as the recommendations dashboard enabling aggregation from micro to macro; identifying an issue, improving and fixing it. There is therefore an eco-system featuring consumer, operator, ombudsman and regulator and a single ombudsman is essential to this in terms of not diluting data. JW acknowledged these insightful comments, noting that the Rail Ombudsman scheme was already working well in this sector.

The notion of a single national portal was discussed as is being explored in the property sector. GS referenced the single-front door and signposting mechanisms as being vital in getting the consumer to the right place. CH concluded that the Ombudsman platform would be beneficial here, having its not-for-profit approach and therefore being a better place for data to be.

SR introduced the **ORR Consultation** which was looking at timescales to access ADR and seeking views on reducing from 40 working days to 20 working days either via a single or phased move; clear minimum requirements on signposting leading to a consistent message and level playing field.

The dates that both consultations were due to close were noted.

3. Governance

a. Ways of working with Scheme Council

JW noted that he had not yet received contact from Keith Richards to have the chair-to-chair discussion that was invited during the June 2021 Scheme Council meeting. JW would chase this.

SJ highlighted the need for actions arising to be fed between SC and RSLP to feed reciprocity and ensure actions and outcomes be recorded. JT agreed to change format of minutes to ease this.

b. Re-visit Terms of Reference?

JW invited comments off-line be sent to JT to consider with the DROL Board and JW.

4. Industry Update

a. Covid-19

b. Sector Insights

GS confirmed less Covid-type cases (e.g. Social Distancing) and there was a noted drop in contact regarding face-coverings. They had also noted that this was driving different behaviours in more enquiries as opposed to complaints. Patronage is up to circa 70% of BAU. Another area of focus is the ORR work on changes to the CHP and this is welcomed as an initiative to step-up standards. Other issues of note are passenger confusion regarding ticketing (refund rules etc) and as a devolved TOC, MerseyRail is keeping an eye on the Rail Reform as to how they will integrate from a consumer perspective.

MR echoed the reduction seen in Covid cases, but noted that it can often be brought in as a secondary issue. Volumes were said to be higher (90% leisure/30% commuter) and there was also disruption caused by a noted increase on fatalities.

MC/SR noted from an ORR perspective that usage levels are circa 50% pre-Covid, but rising. In terms of types of issues, punctuality and ticketing were noted, along with personal security and room for the passenger to stand. Other updates included the Delay Code of Practice consultation response, DfT Rail Reform Agenda and complaints/accessibility issues. The ORR sponsorship of the Rail Ombudsman was also discussed in terms of complexities regarding the timing of this.

MC is due to retire in October and this being his last meeting, is thanked for his contribution to the group.

SJ updated regarding potential issues around service reductions envisaged in the 2022 timetables; LTW/TF are also noting issues relating to flexible ticketing, for example changes to advance tickets but are seeing less traffic surrounding Railcards. SJ informed that they are feeding into the Penalty Fare Consultation and liaising with RDG regarding changes to NRCoT. In terms of numbers, case volumes are starting to increase – there is still little contact with Eurostar and in London tube use has increased, but rail use in London is less.

c. Questions/Feedback of Rail Ombudsman from panel

There were no questions or feedback for the rail Ombudsman to address.

5. Brief Initiative Updates

a. Byelaws

An update was provided by JT. MerseyRail have liaised with schools who have taken the materials as part of the PHSE curriculum. This has also been put forward as part of Liverpool's Child Friendly City Status application. The Rail Ombudsman intends to launch the resource after which it will be hosted on the Rail Ombudsman website.

b. EBR

CH confirmed that there were some conversations happening at a very high level within the UK Government informing their thinking about reinvigorating the economy particularly surrounding a better regulation framework. We achieve more when we co-operate i.e. where there is trust and evidence that intentions are good. Drawing parallels with the ethos of the RSLP, there is a recognition that regulation should be data-driven and co-operative; outcomes and results orientated and the ethical narrative fits well within the current focus on this. Having said that there is a narrow-window and he encouraged responses at the right level to the current consultations. JT agreed to circulate CH's paper and response to the consultation to the rest of the RSLP.

6. AOB

No AOB

7. Date of Next Meeting

Agreed early December (after Scheme Council scheduled for 6 December) 2021.