



Delay Attribution Board
Floor 8
1 Eversholt Street
London
NW1 2DN

Delay Attribution Board Meeting of June 6th 2017

Summary of Meeting

DAB42 Guidance Note

The DAB42 Guidance document relating to the guidance provided to Serco Caledonian Sleepers and Network Rail in relation to Lodging Turns was reviewed and signed-off for distribution to the Parties and uploading to the DAB website.

Board Objectives

Objectives Matrix

The Board reviewed the revised Objectives Matrix and considered other aspects that could be included going forward.

In relation to the DAPR Review, it was agreed that now that the DAPR is live, the Board should request feedback from users for their views on ease of referencing and any areas they feel should be reviewed and developed further whether for either ease of reading or actual content.

It was suggested the Board may wish to consider highlighting the elements of the DAPR that are purely relating to resolution so as to distinguish those sections from real-time allocation.

It was suggested and agreed for a Sub Group to be convened to review Part H or the Network Code incorporating the ROCs to ascertain if the DAPR adequately covers what is prescribed within those documents.

Training and Competency

The Chairman was now in receipt of, and the Board were asked to review and comment on, Network Rail's response to the Training and Competency challenge originally made to Network Rail in January.

The Board agreed that the response did not fully meet their expectations or requirements, particularly in relation to the Trainer provision. Further correspondence was deemed required with Network Rail to progress the original request and concerns.

DAB NTF Paper

The Board were asked as to any aspects of the paper they would want to see raised as a priority to NTF. The Board's standing and escalation process to DfT and ORR was considered as the most important factor

TRUST Accuracy

The Chairman provided the Board with some of his thoughts and concerns on this and related TRUST accuracy issues.

It was reiterated that TRUST is the Industry system and that we should have to accept it along with its known imperfections. The Board need to be very careful it is not seen to be condoning challenge and amendment to TRUST data. There are laid down processes, set out in PDAC, for challenges and asked whether the Board really want to open this 'Pandora's Box'.

The Chairman asked Board members for their views on this issue.

It was raised that the Industry need to understand, and the move to attributing, sub threshold delay has changed many Parties' positions. It has to be recognised that policy changes are a cause of challenging 'accurate' reporting.

It was added that Industry needs to accurately record and understand cause of delays but it is known and accepted that TRUST does not always accurately report the delays where they occur and in some cases (with reference to the Newark issue previously discussed) flag a non-existent delay.

It was noted that the discussions throughout Industry is about improving accuracy, noting that TRUST can report in seconds (if the necessary system was changes where undertaken) but challenged the Board members as to what Industry would actually do if we did report to seconds – would the even more granular data cause even more issues and would we instead be debating seconds rather than minutes?

It would seem that Industry is trying to 'resolve' the sub threshold issue through TRUST when it is felt this subject matter would potentially be better dealt with utilising other data sources or information outside the TRUST and attribution process.

Following discussion it was agreed that there should be no intention by any Party to amend TRUST reports to remove delay but to ensure that delays are fully understood, and, where it is known to be erroneous how to deal with that delay and or any resulting reactionary delay.

A revised paper was then presented to the Board covering TRUST accuracy issues.

The purpose of the paper was to capture the key areas of concern raised to the Board and for each to capture the issue, potential solutions and possible risks involved with any proposed action.

It was suggested that anything agreed and or published by the Board will need to be very clear in its intent and meaning to avoid misinterpretation and misapplication.

The Board were taken through the identified issues and the points relating to the identification and rectification of said issues. Risks and general comments for each were also highlighted.

Broad agreement was reached with what had been captured in the paper and it was proposed and agreed for this specific issue for a small sub group to meet and develop the identified scenarios and guidance in more detail.

Unrecorded Recovery

A revised paper on unrecorded recovery was presented to the Board. This paper built on a previous submission to the April and May Board meetings.

Given the discussion around TRUST reporting and accuracy it was proposed and agreed that the sub group set up for the above item should also look at this related issue for consistency, specifically to align the guidance provided for identification and rectification.

Dispute and Resolution Process

A revised paper was provided to the Board setting out the updated Process Guide (PGD4) which covers dispute and resolution processes.

This Guide had been fully reviewed taking into account various issues and suggestions raised and agreed through previous Board discussions relating to process application.

The one item remaining to be discussed and progressed by the Board at the meeting covered the issue of how to resolve and allocate incidents where erroneous Third Party delay was contained within the incident and was unable to be corrected.

From previous discussions and given the different viewpoints of Operators and current local practices it is clear that agreement cannot be reached between members as to how to resolve incidents with erroneous Third Party delay within them at this point.

However, options were raised that could be considered for future rectification including:-

- Reporting changes for Third Party delay
- PSS data Edits
- TRUST amendment cut off timescales

However, all three of these options would need to be scoped in detail to understand the related process, costs, potential consequences and indeed risks relating to such action.

In the meantime it was accepted and agreed that the Board cannot provide guidance as to how to resolve incidents with erroneous Third Party delay. As such, to enable the Process Guide (PGD4) to be reissued, the section relating to resolution of such incidents will be removed.

Leaving the Network

A paper was provided to the Board covering delays associated with trains leaving the network where the train could not be accepted due to off network issues or due to prior late running.

The scenario was proposed as an additional example for incorporation in to the Board's current Process Guide (PGD8) to improve clarity in this situation.

The Board reviewed and agreed the proposal as submitted and endorsed its inclusion in the Process Guide (PGD8) which will be redistributed and uploaded to the DAB website.



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On – Off Network Assets

A paper was provided to the Board covering delays associated with asset failures manifesting on either side of the Network Rail network boundary.

The paper covered various scenarios of asset failures setting out the initial failure and where it manifested and the associated allocation of responsibility of delays.

The Board were asked to feedback their initial views on the scenarios set out in the paper.

It was highlighted that most Depot Access Contracts have a 'Connection Track' entry which covers assets that are off network but are still owned and maintained by Network Rail. These assets are usually shown on the Depot lease plan in orange. A 'Connection Point' is considered as the actual boundary between network and off network assets even when that asset is inside the physical Depot Boundary.

Network Rail believed that for all Depot Access issues it was always considered to be the physical boundary line that dictated the responsibility – i.e. even assets maintained by network Rail within the Depot would be Operator responsibility with any claims dealt with through the Depot Access Contract.

The question therefore raised for the Board to consider further is whether, within the guidance proposed, the term 'on network' includes those assets covered up to the 'Connection Point' or only up to the physical boundary of the Depot.

The Depot Access Contractual arrangements will need to be better understood for clarifying this issue so the Secretary will liaise with relevant Parties to ascertain the Contractual position and how this does or does not impact attribution.

Further to the above a couple of points of clarification were raised relating to wording within the appended flow diagram which will be amended accordingly in preparation of progressing this issue.

The official minutes will be available to Industry after Board sign-off at the 4th July meeting

Mark Southon

Secretary to the Delay Attribution Board