

## **Delay Attribution Board Meeting of 16<sup>th</sup> January 2018**

### **Summary of Meeting**

#### **Request for Guidance**

The Board had received a Request for Guidance from Network Rail and Chiltern Railway Company (Chiltern). The subject matter was regarding the attribution of delays due to overcrowding caused by passenger displacement and as to whether Delay Code YX is applicable in such circumstances.

The representatives of Network Rail and Chiltern Railways gave an overview of the issues covering their respective parts of the submission and relevant points therein.

As part of the Board's discussion it was evident, as highlighted by the Parties, that the use of Delay Code YX and the interpretation of DAPR C1.6 is unclear and inconsistent and that a further review of these two aspects is required.

Members were asked to cast votes regarding their view on attribution of responsibility either to Chiltern as a Prime Cause of passenger overcrowding or to Network Rail as reaction to the incident(s) causing the passenger displacement.

Based on the information provided within the Request for Guidance, presentations made by the parties at the Board meeting, the DAPR and the discussion by Board Members, the responsibility for the incidents could, unfortunately, not be decided by the Board at this time with the required majority vote not being received for either proposed resolution.

The Parties re-joined the meeting and were advised of the key points set out above; explaining the rationale behind the Board not being able to provide guidance on attribution and responsibility at this time. They were advised that the Board will subsequently review the wording in DAPR C1.6 and application of YX and they will be advised of the conclusions from that review.

#### **DAB44 Guidance Note**

The Guidance Note (DAB44) relating to the guidance provided to GTR and Network Rail and subsequently raised by GTR to the Access Dispute Committee for determination is due to be heard on Thursday 18th January.

The Board will review the Access Dispute Determination once available to understand if any changes or further clarity is required to be made to the DAPR as a consequence.

### **PR18 Attribution Review**

An ORR representative presented a draft high level remit for the Industry Working Group that is to be set up to review attribution and focussed on the key elements, being the objectives and plan for the review including timelines.

The Board were advised that the question for Industry is 'What should attribution be doing?'

ORR acknowledged that Schedule 8 and particularly targets are drivers for behaviours and impact on delivery effective attribution but noting Schedule 8 is ultimately out of scope for the review.

The next steps are to get the working group up and running which was suggested, initially, to be way of a smaller working group with Board member attendance.

### ***DAB Industry Event***

The Board were presented with a paper covering initial suggestions for the format and proposed agenda for the planned DAB Industry Events to take place in Spring this year.

Members agreed with the proposed outline and content of the sessions but it was suggested, and agreed, that the session should be opened with a presentation by an Executive guest covering what attribution means to them.

### ***RfG Template***

The Board were presented with a proposed amendment to the Request for Guidance submission template by the Secretary.

This was developed following feedback on the current template that was opined did not necessarily support appropriate submissions to the Board.

It was suggested that Sections 2 and 3 are transposed for improved structure.

### ***Training Update***

The Board were provided with a Training and Competency update by the Secretary.

The purpose of the paper was primarily to provide advice of the planned Training Programmes booked for 2018, the content of each specific Training Module and how candidates from outside Network Rail can enrol.

The Secretary advised that it is anticipated that all elements of the Training and Competency Programme will be in place by the end of January.

### ***Explaining DA Principles***

A paper was presented to the Board setting out the production of a guidance document explaining why certain attribution criteria are applied. The intention is to alleviate some of the debates and discussions within, and between, Operators and Network Rail

The initial document that had been developed for the November meeting was agreed to be a formal version for use with briefing Executive level and for a less formal version to be developed, in a conversational style, for aiding Responsible Managers understanding why attribution works the way it does.

The Board supported both documents as produced and agreed that they should be utilised for onward advice and briefings through the Training Programme, the DAB industry Events, through to NTF and the normal distribution channels to Industry including the DAB website.

### **PDAC Review**

The Board was provided with a draft PDAC document setting out the initial proposals as developed by the Sub Group.

The draft document was supported with an overview of the changes made and supplemented with a new set of RPCR forms. It is proposed that the RPCR forms are kept outside the main body of the PDAC and kept on the DAB website. This will enable the Board to amend the forms as appropriate without going through full Industry Consultation.

The Board were asked to review and feedback initial thoughts and comments and to support the changes being developed into a formal Proposal for Amendment for Industry Consultation.

Members raised a couple of points of clarification that were deemed required but otherwise agreed for the PDAC to be developed into a Proposal for Amendment and distributed for Industry Consultation.

### **P Code Review**

The Secretary presented a paper setting out proposals formulated by a Sub Group relating to the understanding, interpretation and application of P Codes.

The paper provided to the Board also included issues highlighted through the Sub Group which will require further review at a subsequent meeting.

Members raised a couple of points of clarification that were required to be incorporated but otherwise agreed for the P Code proposals to be developed into a Proposal for Amendment and distributed for Industry Consultation.

The issues highlighted by the Sub Group will be formulated into a subsequent paper for discussion at a future meeting.



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### **DAB Annual Report**

The Secretary provided and presented a paper setting out a draft Annual Report covering the Board's activities during 2017.

Members were asked to review and feedback their thoughts on the document itself and what the report should actually be used for as last year it was just added to the DAB website.

Members agreed that the Annual Report should be utilised at the Industry Events, uploaded onto the DAB website and provided to NTF as part of the Board's next report into that forum.

The official minutes will be available to Industry after sign-off at the 13<sup>th</sup> February meeting

### **Mark Southon**

Secretary to the Delay Attribution Board