



Delay Attribution Board
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Delay Attribution Board Annual Report 2018

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Foreword



Welcome to the Delay Attribution Board's Annual Report for 2018, which has been another busy and productive year.

Through 2018 the Board has been developing and delivering the key aspects of its objectives to better support Industry to attain improvement in attribution.

To support the DAPR the Board continues to produce its Process Guide Documents (PGDs) that should give users a better understanding of the processes and principles to aid both application at the front end of the attribution process and later dispute resolution.

The injection of new ideas and viewpoints has naturally continued to move the Board forward in its thinking and processes. The Board has also concentrated on developing its external face and continues to engage closely with the industry in order to better understand the needs of our 'customers'.

During 2018 the Board has seen a few membership changes. We said goodbye to Rebecca Holding who ended her two-year tenure representing Band 1 Passenger Operators with Lee Latham taking on that position. Carew Satchwell and Andriana Shiakallis both stepped down as Network Rail members and were replaced by Julia Stanyard and Amanda Newton respectively.

I would like to extend my appreciation to those departing members and a warm welcome those joining the Board.

The Board was also pleased to have continued representation throughout 2018 from both ORR and DfT observing and assisting the proceedings of the Board.

Looking ahead, 2019 looks set to be an interesting year with ORR conducting a review of Delay Attribution as part of the CP6 Final Determination. The Board look forward to working with the ORR on both the review inputs and any actions for subsequent outputs throughout the year and particularly hope to see clarification of its reporting lines and where it sits in the Industry and an escalation process agreed.

As always, the Board encourages all parties to feedback on any of its outputs and to provide suggestions or ideas for future topics to be addressed or improved. This can be through your Board representative or direct to the Board through the Secretary (all contact details can be found on the DAB website)

I would like to take the opportunity to thank the Board Members and Industry colleagues for all the feedback, support and assistance throughout 2018 and look forward to continued support in 2019.

Richard Morris, Chairman

1. Introduction

This report covers the main activities and outputs of the Delay Attribution Board (the Board), and its associated sub-committees, during the period from 1st January to 31st December 2018.

2. Board Composition

The Board consists of an independent Chairman, the Board Secretary and 12 Members, one of whom is appointed as Deputy Chairman.

The Members are appointed within the following Bands and Classes (as defined in Part B of the Network Code):

- Six Members from Network Rail;
- One Member by each of the three Bands of the Franchised Passenger Class;
- One Member by each of the two Bands of the Non-Passenger Class;
- One Member by the Non-Franchised Passenger Class.

Neither the Chairman nor the Board Secretary can be a voting Member of the Board.

3. Board Members by Class and Band at the close of 2018

Franchised Passenger Class

Band 1	Lee Latham – GoVia Thameslink
Band 2	Jim Pepper - LNER
Band 3	Alistair Rutter - Northern

Non-Franchised Passenger Class	Jonathan Seager - Eurostar
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Non-Passenger Class

Band 1	Nigel Oatway -DB Cargo*
Band 2	Neil Dodd - DRS

Network Rail

Darran Broderick
Alex Kenney
Amanda Newton
Andrew Rowe
Julia Stanyard
John Thomlinson

* Board Deputy Chairman

The list of current Members and the Industry Parties they represent can be found on the DAB website at: delayattributionboard.co.uk

4. Business Transacted during the Year

The Board met on eleven occasions during 2018.

The Board's activities were primarily driven by its Objectives which were reviewed and updated throughout 2018.

The Board's outputs fit within, and are covered under, each of the Objectives set out in Section 5.

5. Board Objectives 2018

The Board's key objectives for 2018, the delivery statement for each and some of the main elements delivered are hereby covered below.

Delay Attribution Principles and Rules Review

To continue to review the DAPR through consultation with the industry to ensure it meets customers' needs, is up to date and offers guidance as necessary.

There were several ongoing work streams that started in 2017 that came to fruition in 2018 with either changes being made to the April 2018 DAPR release or a production of, or revision to, the Board's Process Guide Documents; these included: -

- Attribution of delays relating to stock swaps and unplanned stock moves was provided in a Process Guide (PGD16) in late 2017 and subsequent entries were incorporated into the April 2018 DAPR.
- A full review of delays and incidents relating to external impacts was carried out and concluded during the latter part of 2017. The resulting changes were incorporated into the April 2018 DAPR.
- The attribution of delays relating to the recovery of failed trains was developed in the latter half of 2017 and incorporated into the April 2018 DAPR
- An Industry Resolution Guide (IRG) covering ERTMS, ETCS and ATO was developed throughout 2017 and published in February 2018.

There were several reviews and work streams that commenced in 2018. These included:

- A full review of circumstances pertaining to P Codes was undertaken during 2018 with proposals being formulated and consulted culminating with changes being incorporated into the September 2018 DAPR.
- A full review of the DAPR Section H was undertaken in the latter stages of 2018 which has culminated in a Proposal for Amendment being developed and sent for Industry Consultation in November 2018.

- A review of the DAPR was undertaken relating to the entries covering wrong routing with the aim of providing clarification. Industry feedback on the Proposals for Amendment has necessitated engagement to be made with the Operations fraternity for clarity on the Rule Book itself. Once attained the Proposal will be re-reviewed or progressed as appropriate.
- The Board is continuing to review and consider attribution principles and application in relation to Delay Code YX and Passenger overcrowding due to displacement in line with Access Dispute determination ADA35
- The implications of Access Dispute Determination ADA33 continue to be debated with a work stream continuing, in association with the Access Disputes Committee, to hopefully provide some formal attribution advice as to the intent and wider application of ADA33.

Board Communications

To develop a communications strategy to ensure all relevant parties are aware of the work of DAB and have the ability to input to its improvement

The Board had planned to hold Industry Engagement events during 2018 but decided to defer on the basis that the forthcoming ORR Review of attribution may prescribe a different focus or direction.

A redacted summary of the Board's meeting minutes is produced and appear on the front page of the Board's website, usually within a week of the meeting taking place.

Further useful information is updated on the website including meeting dates (with associated submission deadlines), a list of Board members and who they represent as well as the Process Guide Documents as they are developed.

A link was forged with NTF and RDG during 2018 for the Board to highlight issues arising that is felt need to be escalated. The need for a formal escalation process will be raised as a requirement as part of the ORR Attribution Review.

Two documents were produced and distributed to Industry that cover the principles of attribution. The first was a formal document aimed at Senior Management concentrating on the contractual influence on attribution principles whereas the second document, aimed at middle management and practitioners, was a more informal document covering the attribution principles by way of example scenarios set out as a discussion between two parties.

Training and Competency

To work closely with all parties to develop a competency framework for those involved in Delay Attribution and review the present training arrangements to ensure adequate training is being given throughout the industry.

Delivery of attribution related training is provided by Network Rail but due to the take up of formal training dwindling over previous years the availability of the trainer became out of kilter with the current requirements of those requiring training.

A new Training Programme was developed, broken down into specific modules, which were planned and delivered successfully throughout 2018 (with the Programme being repeated three times during the year)

In line with the Training Programme development the training materials were fully updated whilst aligning them with each of the new modules.

A competency framework was developed with a full toolkit of supporting documents and processes. This includes a 'Rail Exam' that can be taken by current Attribution personnel and will also be utilised for trainees as part of the Training Programme.

Work still continues on making improvements in this area with a potential option being progressed for personnel from Train Operators being able to take up the Rail Exam.

Managing Delay Attribution

To be aware of those areas where delay attribution is resulting in more and extended disputes and offer advice and assistance as necessary

The Board monitors attribution trends through a KPI data report. The data set is provided for each Board meeting and is usually reviewed in more detail on a quarterly basis.

The KPI report helps the Board identify adverse trends and enable questions to be asked of parties involved and critically for the Board to be able to offer any assistance.

The Board has further developed the Request for Guidance template into two separate templates to allow for joint and single party submissions to be progressed. These went live in May 2018.

The Board promoted and funded two System changes that went live in 2018. The first being the extension of the System Self-acceptance of incidents being extended to 48 hours. This was an attempt to reduce the number of disputes being registered. The second System change was an automated report that generates the activities recorded in TRUST (that were ordinarily gleaned by the TRJN functionality). This automated data provides visibility of all activities occurring in TRUST and can be used to monitor workloads.

The Board are engaging with, and supporting, the RSSB in the early development stages of an attribution decision support tool. The initial scope being the development of the capability to either allocate reactionary delay automatically or to provide prompts to attribution staff as to possible solutions for them to validate and confirm.

This work stream will continue in 2019 with ongoing liaison and updates being provided.

Performance Data Accuracy Code (PDAC)

To review PDAC; engaging with all relevant industry parties.

A Board Sub Group was originally set up to fully review the PDAC in late 2016.

Review and development work continued throughout 2017 to enhance and improve the PDAC taking cognisance of emerging issues, technology advances and the initial requirements for CP6.

After full Industry Consultation the revised PDAC finally went live as of June 2018.

This revised version included a new suite of RPCR forms to improve the process of monitoring and maintaining the accuracy of TRSUT reporting.

The Group will be reconvened early in 2019 to undertake a further review the PDAC in relation to further details of, and emerging issues relating to, the CP6 metrics and requirements of Industry.

Network Code Part B

To review Network Code Part B to ascertain what needs changing to bring Part B in line with current practices or identify if the Board needs to align process with the current Part B

A Sub Group was set up in mid-2017 to review Part B with a remit to either bring it in line with current practices or to highlight where current practices contravene Part B.

A proposal containing suggested improvements was developed and presented to, and agreed by, the Board and the Proposal for Change was sent to the Class Representative Committee for Industry Consultation in late November 2017.

Responses were received in mid-January 2018 for which the CRC considered and approved the majority of the changes. These changes were then incorporated into the Network Code in a Spring 2018 release.

A further review of the one aspect that was rejected by CRC, relating to escalation timescales, was undertaken and a further amendment was submitted by the Board to the CRC in late 2018 for which consultation closed in December 2018 and for which further discussion is required.

The Board and Access Dispute Committee representatives convened a meeting in late 2018 to review the dispute process in relation to DAB Guidance and Access Dispute Determinations. Initial considerations will be developed further in 2019.

6. Guidance Notes

During 2018 three submissions of Request for Guidance were received by the Board and guidance was provided under reference numbers as follows:

DAB45: Brought by Chiltern Railways and Network Rail relating to passenger overcrowding due to displacement of passengers and use of Delay Code YX.

The Guidance provided was in favour of Network Rail's position but was subsequently escalated by Chiltern Railways for an Access Dispute Determination.

This Determination found in favour of Chiltern Railways and the specific outputs are still being reviewed by the Board to enable clearer attribution advice to be provided in the DAPR in future.

DAB46: Brought by VTEC relating to OLE interface incidents at Balne and Tallington

Formal Guidance was not able to be provided in this instance as Network Rail subsequently initiated further investigations which at the time of writing are still ongoing. DAB46 has therefore not yet been finalised or published.

VTEC (now LNER) will keep the Board informed of progress and any further assistance required on this matter in the future.

DAB47: Brought by GBRf and Network Rail relating to a GSM-R REC activated from a loco at Crewe.

The Guidance provided was in favour of Network Rail's position and subsequently accepted, without further challenge, by GBRf.

Following the provision of any Guidance the DAPR is reviewed and when appropriate, amended. The Guidance provided including the rationale and a brief summary of the request can be found on the Board's website under 'DAB Guidance'.

The Board has also provided some informal guidance to Parties that has led to work streams developing further Process Guides and subsequent improvements to the DAPR. This is an important aspect of the Board's work to ensure issues arising within the Industry are highlighted and reviewed as it is appreciated that not all submissions are required to follow the formal Guidance process.

7. Subgroup activities

During the year, various sub-groups or parallel work streams were either set up or continued and were concluded from 2017. Subject matter covered in this area were:

- Industry Resolution Guide (IRG) for European Train Control System (ETCS) and Automatic Train Operation (ATO)
- Network Code Part B
- DAPR Section H review (Off Network Rail network locations)
- Performance Data Accuracy Code
- Incident investigation and dispute processes
- P Code Descriptions and application
- Request for Guidance submission templates
- Unplanned routing (wrong route)

The outputs of these sub-groups, have led to a number of outcomes; one of which being that of additional Process Guide Documents that supplement the DAPR.

The Process Guide Documents developed during 2018, and available on the Board's website to download, are:

- PGD18 – Autumn Good Practice Guide
- PGD19 – Templates for Incident Creation and Dispute

The Board's other Process Guide Documents were also reviewed during the year which culminated in the reissue of the following documents: -

- PGD2 – Reactionary Delay Principles and Examples
- PGD4 – Incident Dispute and Resolution Process
- PGD5 – Management TIN Reattribution Process
- PGD12 – Uninvestigated and Unexplained Delay

Further amendments and new Process Guides are being considered for 2019.

All the Board's Process Guide Documents are incorporated into the Network Rail Training Programme outlined above.

8. Delay Attribution Board Objectives for the Year 2019

Building on the Board's Objectives delivered during 2018 the Board will continue to work on and develop the following aspects during 2019: -

1. DAPR Review

To continue to review the DAPR through consultation with the industry to ensure it meets customers' needs, is up to date and meets the requirements of the users. Consideration will be given to emerging outputs of the ORR Attribution Review.

2. Board Communications

To further develop the Board's communications strategy to ensure all relevant parties are aware of the work of the Board and have the ability to input to its improvement.

3. Training and Competency

To work closely with all parties to review the new competency framework for those involved in delay attribution and monitor the training arrangements to ensure adequate training is being provided throughout the industry.

4. Managing Delay Attribution

To continue to identify those areas where delay attribution is resulting in an increase in disputes and or extended disputes and offer advice and assistance as necessary. Part of this objective will be input to the ORR Review of Attribution.

5. Performance Data Accuracy Code (PDAC)

To reconvene the review of PDAC in respect of the CP6 Metrics introduction and to formulate, distribute any subsequent Proposals for Amendment to Industry Consultation.

6. Network Code Part B

To work with ADC to develop initial proposals for a new process for hearing and escalating attribution disputes between DAB and Access Dispute Committee.

The specific actions, work streams and associated monitors and measurements to deliver the Board's core objectives in 2019 will be reviewed and agreed at Board meetings throughout 2019 and published on the Board's website.

However, as mentioned above, much of the Board's focus will be directed into and derived from the ORR Review of Attribution due to commence in early 2019.