



Delay Attribution Board
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Delay Attribution Board Annual Report 2019



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Foreword



Welcome to the Delay Attribution Board's Annual Report for 2019.

Through 2019 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 to better understand the needs of our 'customers'.

During 2019 the Board has seen a few membership changes. We said goodbye to Alistair Rutter who ended his tenure representing Band 3 Passenger Operators with Tony Southerton taking on that position. Julia Stanyard, John Thomlinson and Darran Broderick all stepped down as Network Rail members and were replaced by Paul Harris, Scott Provan and Anna Langford respectively.

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

I would also like to extend special appreciation to Nigel Oatway who stepped down as Deputy Chair after many (many) years, handing over to Jim Pepper.

The Board was also pleased to have continued representation throughout 2019 from both ORR and DfT observing, and assisting, the proceedings of the Board.

Looking ahead, 2020 looks set to be an interesting year with the outputs from ORR's Review of Attribution being progressed. The Board look forward to working with the ORR on the review actions throughout the year and particularly hope to see clarification of its reporting lines and where it sits in the Industry and hopefully see 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 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 2019 and look forward to continued support in 2020.

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 2019.

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 2019

Franchised Passenger Class

Band 1	Lee Latham – GoVia Thameslink
Band 2	Jim Pepper* - London and North Eastern Railway
Band 3	Tony Southerton – West Midlands Trains

Non-Franchised Passenger Class

Jonathan Seager - Eurostar

Non-Passenger Class

Band 1	Nigel Oatway -DB Cargo
Band 2	Neil Dodd – Direct Rail Services

Network Rail

Paul Harris
Alex Kenney
Anna Langford
Amanda Newton
Andrew Rowe
Scott Provan

* The Board's Deputy Chair

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 twelve occasions during 2019.

The Board's activities were primarily driven by its Objectives which were continually reviewed and updated throughout 2019.

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

5. Board Objectives 2019

The Board's key objectives for 2019, the delivery statement for each and some of the main elements delivered are 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 2018 that came to fruition in 2019 with either changes being made within the April 2019 DAPR release or the production or revision to the Board's Process Guide Documents; these included: -

- A full review of the DAPR Section H was undertaken in the latter stages of 2018 which culminated in a Proposal for Amendment being developed and DAPR amendment going live in April 2019.
- The Board continued 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. An amendment was proposed, and the changes finally went live in the September 2019 DAPR.
- The implications of Access Dispute Determination ADA33 continued to be debated with a work stream continuing, in association with the Access Disputes Committee and ORR. Whilst informal advice was provided in the interim period, no formal DAPR amendment was progressed due mainly to the risk to all Industry parties being unable to identify the potential impact of any change in attribution. The DAPR therefore remained unchanged.
- Elements of attribution relating to severe weather were developed and included in the April 2019 DAPR which covered the running of Ghost Trains, Route Proving Trains and resulting multiple cancellations due to severe snow impacting the Network.
- Bird strike responsibility was progressed and finally resolved with a DAPR change taking effect from April 2019.
- In all 14 Proposals for Amendment to the DAPR were incorporated into the DAPR in 2019.

There were several reviews and work streams that commenced in 2019. These included:

- A full review of the DAPR Section O was undertaken during 2019 which culminated in a Proposal for Amendment being developed and amendment to the DAPR going live in September 2019.
- Definitions of the commonly used terms in the DAPR and Process Guides were developed, consulted and now included in the September 20219 DAPR.
- A Flow Diagram was developed and included in Process Guide PGD12 covering the logic process for unexplained delay.
- A flow diagram was developed covering train regulation to supplement Section K of the DAPR and was included in September 2019.
- A review of potential areas where Joint Responsibility could be applied was undertaken by the Board as a requirement of the ORR Recommendations as part of its Attribution Review and is currently awaiting the Industry Working group to be formulated.

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 not planned to hold an Industry Engagement event during 2019 due to the Industry input into and outputs emanating from the ORR Review of attribution.

The Board engaged with and assisted the writing and publication of an article about Delay Attribution in Rail News which was published in May. The content also formed part of a wider article published in Railway Magazine and Today's Railway in June.

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 and any updates on current work streams.

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.

The new Training Programme which was developed and introduced during 2018 continued to be delivered throughout 2019. The Training Programme was repeated three times during the year with additional Modules delivered when required.

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

Work 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.

The ORR Review of Attribution has highlighted the need for improved Industry training and competence for which the Board will fully support any progress or improvements during 2020.

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.

During 2019 the format and data provided in that KPI Report was reviewed and further developed and now includes information on the oldest and largest disputes.

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, if required.

As a result, some of the long-standing disputed incidents have now been resolved and or are being reinvigorated for future resolution.

Performance Data Accuracy Code (PDAC)

To review PDAC; engaging with all relevant industry parties.

A Board Sub Group 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.

Development of proposals to amend the PDAC are continuing with progress to Industry Consultation being expected early in 2020.

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 undertook a review of the one aspect of the 2018 amendments that was rejected by CRC, relating to escalation timescales. As a result, a further revised amendment was submitted by the Board to the CRC and finally went into the Network Code in the summer of 2019.

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. Development has not yet progressed as hoped in 2019 but is to be further considered in early 2020.

System Development

Review and consider potential opportunities for development of or improvements to Systems to assist DA delivery.

The Board are engaging with, and supporting, the RSSB in the development stages of an attribution decision support tool. The initial scope being the development of the capability of a rules package to allocate a proportion of reactionary delay automatically.

With the Industry's ever-increasing need for more detailed data capture, the envisaged reduction in reactionary delay investigation and allocation will enable improved focus on primary delay and cause identification.

This work stream will continue throughout 2020 with ongoing liaison and updates being provided.

The Board promoted and will fund a TRUST System change that will hopefully go live in early 2020. The change provides and extension of the Freeform text limit available to Network Rail in the creation, and updates to, incidents.

6. Guidance Notes

The following Guidance Notes have been produced by the Board following Requests for Guidance being submitted to, and heard by, the Board.

DAB48: Brought by Serco Caledonian Sleepers and Network Rail relating to shunting delays at Edinburgh Waverley.

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

DAB 49: Brought by South Western Railway and Network Rail relating to stock shortages due to displacement from a previous day's incident.

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

DAB 50: Brought by South Western Railway and Network Rail relating to a set of points that were out of use hindering recovery of a number of South Western Railway incidents on different dates.

The Guidance provided was in favour of Network Rail's position but subsequently SWR has escalated the incident for Access Dispute Adjudication.

DAB 51: Brought by South Western Railway and Network Rail relating to the passenger evacuation procedure being implemented prior to the fitter's attendance of a failed train.

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

DAB 52: Brought by South Western Railway and Network Rail relating to a Pass comm activation at Waterloo and subsequent actions taken by, and communications between, the Driver and Signaller.

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

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'.

7. Subgroups and other Work Streams

During the year, various sub-groups or parallel work streams were either set up or continued and concluded from 2018. Subject matter covered in this area were:

- DAPR Section H review (Off Network Rail network locations)
- Performance Data Accuracy Code Review
- Bird Strike Responsibility
- ADA33 (Previous Day Cause)
- ADA35 (Passenger Overcrowding)

The outputs of these sub-groups, have led to several amendments being made to the DAPR itself or development of new or existing Process Guide Documents (PGD)

Key changes made to the DAPR during 2019 include: -

- Section B addition of enhanced definitions of commonly used terms
- Section H full review and rewrite relating to Depots and Sidings
- Section K addition of a train regulation low diagram
- Section L addition covering trains running with no schedule
- Section N enhancements with clarification of application of ADA35
- Section O full review and rewrite of the infrastructure causes
- Section Q bird strike responsibility
- Section Q further enhancements for severe weather including 'Ghost' Trains, Route Proving Trains and allocation of cancellations during network closures

New Process Guide Documents that were developed during 2019 were: -

- PGD20 – Attribution of P Coded TSRs

Current Process Guide Documents that were further developed during 2019 were:

- PGD2 – Reactionary Delay Principles
- PGD6 – Joint Responsibility
- PGD8 – Entering and Leaving the Network
- PGD9 - Managing Freight Services
- PGD11 – Queue of Trains
- PGD12 –Unexplained and Uninvestigated

Further amendments and new Process Guides are being considered for 2020.

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

8. Delay Attribution Board Objectives for the Year 2020

Building on the Board's Objectives delivered during 2018 the Board will continue to work on and develop the following aspects during 2020: -

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 and input to the Industry Working Group, emanating from the ORR Attribution Review, to review and develop the competency framework for all 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 continue and conclude 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.

7. System Development

To review and consider potential improvements to the current Systems utilised in Delay Attribution, considering the wider and longer-term Industry work stream looking at TRUST and TRUST DA replacement as part of the ORR Attribution Review Recommendations

The specific actions, work streams and associated monitors and measurements to deliver the Board's core objectives in 2020 will be reviewed and agreed at Board meetings throughout 2020 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 Recommendations and subsequent actions emanating from the ORR Review of Attribution.