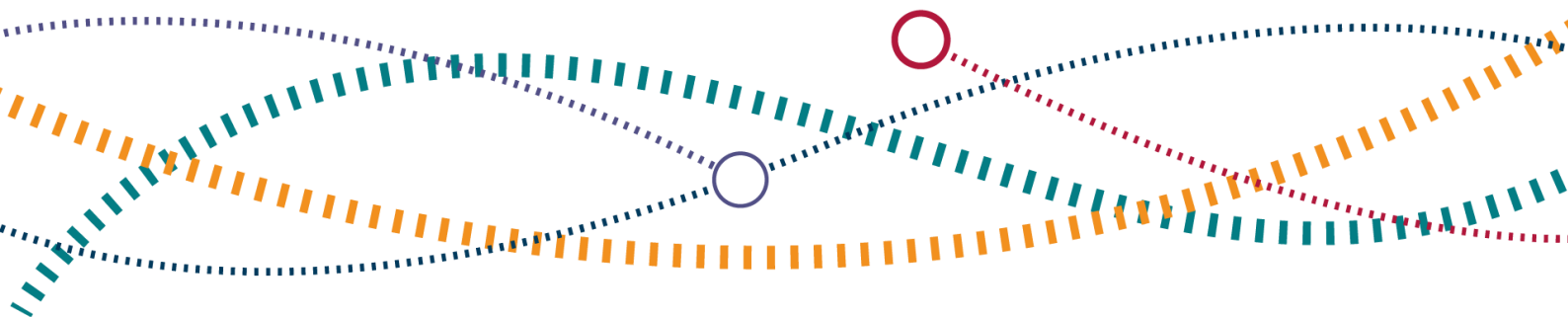




# ORR submission to the Scottish Parliament's Net Zero, Energy and Transport Committee

For meeting 19 March 2024



The Office of Rail and Road (ORR) has been invited to give evidence at a meeting of the Scottish Parliament's Net Zero, Energy and Transport Committee on Tuesday 19 March.

The Committee is looking to take stock of developments in Scotland's rail industry over the past year, with a specific focus on how ScotRail and the Caledonian Sleeper have organised and delivered rail services since the transfer of operations into public ownership.

Recognising that this is our first formal appearance, we thought it may be useful to submit a note to the Committee in advance of the evidence session, setting out who we are and our role in relation to train operators and Network Rail. This information is set out below.

## **About the ORR**

The ORR is the combined economic and health and safety regulator for Great Britain's rail network. We are also responsible for monitoring and enforcing the performance and efficiency of National Highways (England only).

As a regulator we operate within the framework set by UK legislation and are accountable through Parliament and the courts.

In Scotland, our core purpose is to protect the interests of rail users - improving the safety, value and performance of railways today and in the future.

## **Our Consumer role**

The ORR's Consumer Team focuses on passenger-facing work, where we want to ensure passengers feel confident about the experience they can expect when travelling by rail.

Our work is focused on four areas and is underpinned by requirements set out in consumer law and conditions in the licences that we issue to passenger train and station operators, this includes:

- **Ticket retailing and passenger rights:** we want train and station operators to be fair and transparent in all their interactions with passengers, enabling passengers to make well-informed decisions and access their statutory rights as customers.
- **Passenger information:** we want passengers to have accurate and timely information about their travel options, so that they can plan and make journeys with confidence, including during disruption.
- **Accessible travel:** we want to empower confident travel by all, including disabled passengers, whether their journeys are made independently or with assistance.

- **Complaints and redress:** we want passengers to receive appropriate redress where things go wrong, and for operators to learn from those experiences to drive continuous improvement in the passenger experience.

Relevant publications: [Annual rail consumer report 2023](#)

## Holding Network Rail to account

Network Rail operates under its network licence, which requires it to comply with the licence conditions set in the public interest. These licence conditions underpin our approach to holding Network Rail to account and in monitoring and assessing compliance.

Network Rail has three core obligations within the licence, relating to:

- Securing the operation, maintenance, renewal and enhancement of the network in order to satisfy the reasonable requirements of its customers and funders.
- Engaging with all stakeholders in ways appropriate to their reasonable requirements.
- Providing information to enable train operators to meet their obligations to passengers, so that passengers can plan and make their journeys with confidence.

We will take direct action to address poor performance where necessary. We will always aim to take action to resolve concerns and secure improvements promptly without the need to resort to formal enforcement, particularly to minimise harm to passengers or freight customers. However, ultimately we can use our statutory powers (which include imposing financial penalties) as a last resort.

Relevant publications: [Network Rail Annual Assessment 2023](#) and [Network Rail Annual Finance and Efficiency Assessment 2023](#)

## Our safety role

We regulate health and safety for the entire mainline rail network in Britain. We want to make sure that our railways are safe; not just a safe mode of transport but also a safe place to work.

Our team of safety inspectors and professionals have significant powers of enforcement.

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Our safety role includes:

- providing health and safety guidance and conducting research to promote continuous improvement.
- publishing reports on the rail industry's health and safety performance.
- carrying out inspections to ensure that the train and freight operating companies and Network Rail manage both passenger and occupational health and safety risks appropriately.
- investigating breaches of health and safety regulation on the railways.
- taking informal and formal enforcement action, including improvement notices and prosecutions.

Relevant publications: [ORR Annual Health and Safety report 2023](#)