



Stephen Glaister CBE

Chair

Telephone: 020 7282 2178

stephen.glaister@orr.gsi.gov.uk

Caroline Pidgeon MBE AM

Chair, Transport Committee

London Assembly

By email

20 July 2018

Dear Caroline,

ORR Inquiry into May timetable disruption

Thank you for copying me into your letter to the Secretary of State for Transport of 18 July on Govia Thameslink Railway and the ongoing timetable disruption, which also covers the Office of Rail and Road's Inquiry into the May timetable disruption.

I had not received the letter in advance and read of its existence in the press. I was disappointed not to have had the opportunity to discuss the concerns with you before the letter was sent.

I note that you and the Committee have concerns regarding the Inquiry and in particular whether the ORR is suitably independent to carry out the inquiry. This is certainly an issue to be dealt with but it is not new; indeed it was recognised in the letter from the Department for Transport requesting our advice to the Secretary of State (http://orr.gov.uk/data/assets/pdf_file/0016/28006/dft-letter-commissioning-orr-inquiry-into-may-2018-network-disruption-2018-06-12.pdf)

I agree it is crucial that the Inquiry is not seen, as you describe it as "little more than an industry whitewash". Indeed, independence and being seen to be independent is crucial in undertaking all of the ORR's work regulating the rail industry.

We operate within the framework set by UK and EU legislation and are accountable through Parliament and the courts. We are an independent statutory body, with powers vested by Parliament in our governing board. This framework is designed to ensure we are independent of the government and the companies we regulate.

We have put in place a number of specific measures to ensure the independence of the May timetable Inquiry. These are standard practice for our safety investigations where ORR considers issues with which other parts of our organisation may have had previous involvement. You are correct in stating that the ORR was involved in the Industry Readiness Board and for this reason, those members of staff involved in the Board are recused from the Inquiry or any discussions relating to it. Our reports will be firmly based on factual evidence as to what actually happened.

I have set up an advisory panel which will advise the Inquiry, in particular to ensure that the ORR's own role, as regulator of Network Rail and of the train operating companies, is properly assessed by the Inquiry. The Panel includes Mike Brown, Transport for London Commissioner. The other members are Dame Deirdre Hutton, Anne Heal and Michael Beswick.

You also write in your letter that the Inquiry should consider the skills and capacity within the Department for Transport, and whether the Department is capable of managing the rail industry effectively. Let me assure you that the Terms of Reference for the Inquiry specifically include the role of the Department of Transport in the May timetable disruption. The full Terms of Reference are available on the Inquiry website:

http://orr.gov.uk/data/assets/pdf_file/0019/28009/terms-of-reference-may-2018-network-change-inquiry.pdf

I hope these measures provide assurance regarding the independence and suitability of the ORR to undertake this Inquiry. I note that the Committee will be submitting a formal response and I would of course be happy to meet with you to discuss the Inquiry in further detail.

Yours sincerely,

A handwritten signature in blue ink that reads "Stephen Glaister".

Stephen Glaister
Chair