

## **Meeting of Passenger Advisory Panel**

### **Minutes**

**Meeting date: 09/03/2025**

**10:30 – 12:30 Held virtually**

### **Present:**

Susan James – London TravelWatch (Chair)  
Katherine McGowan-Downey – Transport Focus  
Cynthia van der Linden – Belgian Rail Ombudsman  
Peter Stonely – Independent (Trading Standards experience)  
Lydia Horbury – Bus Users UK  
Naomi Creutzfeldt – Professor of Law and Society, Kent Law School  
Judith Turner – Rail Ombudsman  
Natalie Freeman – Rail Ombudsman  
Matthew Thomas – Rail Ombudsman

### Apologies

Owain Davies – Level Playing Field

Minutes prepared by the Rail Ombudsman secretariat.

## **The Chair declared the meeting open at 10am.**

### **A) Actions from the last meeting**

MT presented an update against the action log:

- Update ToR and resend – complete.
- Doodle poll/survey monkey for agreement from members about every other meeting to be joint with members. Poll not carried out as conversations had moved on since with a clear direction of travel towards this format. Any members with concerns invited to raise with SJ and MT.
- Advise members that the focus of the panel for the next 12 months will be to discuss and provide feedback to the RO's achievements and objectives – on agenda.
- Provide information on the types of cases that go to adjudication. Data was presented on the types of issues likely to reach adjudication. While common recurring issues related to delayed and cancelled trains dominate overall and specifically within adjudications, it was recognised that staff conduct and availability issues are disproportionately more likely to result in adjudication. The contentious and sometimes emotive nature of these disputes and the particularly important role independent review of evidence can play in these types of disputes were cited. Similarly, accessibility issues feature more prominently at the adjudication stage than in the overall caseload – again

attributable to the complexity these disputes and the role independent assessment of evidence can play in resolving such issues. Company policy issues, conversely, were less likely to feature at the adjudication stage. This is largely attributable to the Rail Ombudsman's remit – while some disputes centre on whether policy has been correctly applied are eligible and some result in adjudication, many general complaints about policy that advocate change are outside the Rail Ombudsman's remit. These are transferred to Transport Focus and London TravelWatch, who have the remit to consider such issues and advocate on behalf of passengers as appropriate.

## **B) Operational update and Summary Performance Report**

The update covered:

- case volumes, noting seasonal trends and a significant uplift in the number of cases received. LH noted a similar experience in the bus sector.
- Onboarding of a new operator imminently and discussions with other potential members in the retailing sector.

Action – LH and SJ to present on volume/trends in their respective organisations at next meeting.

MT presented the Summary Performance Report and discussed with the Panel.

## **C) Independent Assessor recommendations**

Three themes were presented for Panel views, MT noting feedback from the Scheme Member Panel recently given on the same agenda item. Specifically, opportunities to revise the Rail ADR Service Rules and Eligibility Criteria, and also consumer-facing content such as FAQs, were considered. The matters considered were:

- Consolidation of multiple cases from a single consumer into one – this was deemed acceptable, without strong views.
- Issuing addendums to adjudications – the Panel discussed a range of factors including time limitation (MT had noted that the 20 working days a consumer has to accept a decision had been suggested at the Scheme Member Panel, agreeing this seemed a sensible measure but that it would make sense for the RO to retain some discretion in the event of exceptional circumstances, regardless); elaboration on the circumstances that might be expected to justify an addendum (SJ) and what the impact might be for consumers (PS). Action – RO to seek out best practices across the Ombudsman landscape and feed back.
- The role of the Rail ADR Service Board in determining eligibility of disputes – it was proposed that operationally, the Chief Ombudsman and Deputy Chief Ombudsman could take such decisions if required, reporting to the wider Board as deemed necessary. Discussion covered the need to make such determinations early in the process, with consideration given to the time limitation affecting certain disputes that may subsequently be taken to court.

CvdL noted that in Belgium time limitation did not present an obstacle, and JT noted that a judge could exercise discretion in this regard.

#### **D) Rail Ombudsman Business Plan objectives and accessibility focus**

SJ reiterated the Panel's role in supporting the Rail Ombudsman's delivery against its Annual Business Plan objectives. The objectives were shared, noting that the previous year's had been retained with some additions primarily to reflect the Rail Ombudsman's role in the evolving redress landscape in rail.

The Panel had a strong appetite to continue its focus on accessibility – this being relevant to the Rail Ombudsman's service provision and that of the industry, with opportunities for impact in this area. SJ noted recognition of GWR for autism-friendly stations. KM-D raised the importance of information in accessible formats, such as Easy Read.

NF shared Network Rail's guidance material on the subject for information and noted neuroinclusion training undertaken by the Rail Ombudsman team.

The opportunity for the industry to present at a future combined Panel meeting was raised and welcomed. Action – to liaise with relevant industry Panel members.

LH noted that neurodiversity was increasingly prevalent in cases handled by Bus Users. SJ noted that AI had the potential to assist some consumers with handling their complaints but also presented challenges for complaint handling bodies.

Discussion moved to the PSVAR derogation affecting rail replacement coaches, with further detail expected and this likely being a good topic for the next advisory Panel meeting.

Action – RO to share the Business Plan objectives with the Panel for ongoing reference.

#### **E) Member updates - brief update on any key activities or issues impacting passengers from the perspective of the Panel Member**

Discussion centred on upcoming changes to the National Rail Conditions of Travel impacting refunds.

NF raised work being done with the industry, regulator, and Statutory Appeals Bodies on casework recommendations made by the Rail Ombudsman – namely moving to publish these to increase visibility of the impact. CvdL noted the value of recommendations to policymakers, citing an example from Belgium whereby particular mobility scooters were being advocated by the national health service, but which users subsequently discovered were not compatible with public transport requirements. SJ discussed similar wheelchair and mobility scooter considerations affecting UK transport users, constraints on weight for use on deployable ramps etc. NF shared an example of a Rail Ombudsman casework recommendation on the subject.

MT shared a link to a campaign being run by Level Playing Field.

**F) Review of matters arising, actions and close**

<b>Action</b>	<b>Date to achieve</b>	<b>Responsibility</b>
Bus Users light touch complaint stats – numbers and subjects	Next meeting	LH (RO and SJ to liaise with LH prior to meeting)
London TravelWatch and Transport Focus light touch complaint stats – numbers and subjects.	Next meeting	SJ
Best Practice from other Ombudsman services relating to new evidence etc (addendum discussion)	Next meeting	RO
Neurodiversity – example given of an RSP's work to support passengers who are neuro divergent. Ask RSP to provide information and insight to passenger take up of the initiative	Next meeting	RO
PSVAR update (derogation due to end on 14 July 2026)	Next meeting	SJ / any updates from other panel members
RO to update re stranded case	Next meeting	RO
RO and SJ to formalise sharing of recommendation information	Next meeting	RO and SJ
RO share Business Plan objectives with Panel for reference	Next meeting	RO