Submission to the Cabinet Office public consultation Making Open Data Real

By the Association of Train Operating Companies (ATOC)

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Set up after privatisation in 1993, ATOC brings together all train companies to preserve and enhance the benefits for passengers of Britain's national rail network by providing a number of key services including:

- A central clearing house for the train operators, allowing passengers to buy tickets to travel on any part of the rail network, from any station, through the Rail Settlement Plan (RSP)
- A customer service operation, giving passengers up-to-the-minute information on train times, fares, reservations and service disruption across the country, run by National Rail Enquiries (NRE)
- A range of discounted and promotional railcards, cutting the cost of travelling by train for groups including young people, families, senior citizens and people with disabilities.

ATOC's trade association activities include providing a national voice for Britain's train companies and seeking to generate and shape policy on the railways.

1. **Summary**

   1.1 ATOC supports the principle of greater openness in the provision of public services, including the railways. We agree with the Government that transparency, promoted in the right way, can enable accountability, reform public services, empower citizens and generate economic activity. We recognise the significance specifically of the open data agenda to the wider debate about transparency.

   1.2 Transparency is an important issue for the railways, as taxpayers currently contribute around £4bn, or almost 40%, towards the industry's annual running costs. Another joint priority for Government and the railways is to improve the value for money which the industry delivers to rail users and taxpayers. The industry is embarked on a major programme of reform to strengthen its long term financial sustainability, by driving up efficiency and stimulating innovation alongside continued improvement in services.

   1.3 A significant amount of data and information about train services is already in the public domain (see appendix). This includes:

   - data on performance, passenger satisfaction and levels of public funding in rail. This information can and is used to hold politicians, train companies and other rail organisations to account
   - a wide range of information on train services, including timetables and fares, for example, available through train company websites, third party retailers such as The Trainline, and NRE
   - access to the data which makes provision of information on train services possible through multiple channels: for example, NRE has issued more than 100 third party

licences (including 41 for mobile apps on 10 different platforms) for the use of real time travel information

- many train companies are subject to financial scrutiny by the City because they are part of publicly quoted transport groups.

1.4 The availability of data and information to date has formed part of the business environment which has helped to drive positive outcomes in rail in recent years. Transparency of data on service reliability and passenger satisfaction has underpinned efforts which have delivered record levels of performance and customer satisfaction. The growth of third party retailers has accompanied the trebling in the number of tickets sold through the internet in the last five years as the number of passenger journeys by rail has grown to the highest levels in peacetime since the 1920s.

1.5 Train companies and ATOC recognise that more can be done to improve the quality of, and access to, information regarding rail services and have been involved in a number of initiatives, ranging from proposals to disaggregate performance statistics to enhancing the information provided to passengers during disruption. In thinking about what more could be done, we believe it is important that thorough consideration be given to ensuring that:

- the public continues to have access to accurate, high quality information in forms that they find useful;
- there is a level playing field between rail and competing forms of transport, such as road and air transport;
- any initiatives are consistent with the Government's agenda to improve the affordability of rail to passengers and taxpayers.

1.6 This submission sets out our views on the above points in further detail.

2. **Significant rail data and information in the public domain**

2.1 Performance and passenger feedback – data generated by Passenger Focus, ORR and DfT

2.1.1 Passenger Focus's [National Passenger Survey](#) is a large source of data on the performance of train companies. This provides a network-wide picture of customers' satisfaction with rail travel. Passenger opinions of train services are collected twice a year from a representative sample of passenger journeys, surveying 31 specific aspects of service and based on 27,000 correctly completed questionnaires. The results are broken down for the industry as a whole, for each train company and for each sector and published in January and June.

2.1.2 The Office of Rail Regulation's [National Rail Trends](#) is a further source of data about the railways. An independent, comprehensive and accurate picture of the rail industry, data is published by table on a rolling basis throughout the year on a wide variety of different aspects of the railways, including public performance measures (punctuality and reliability), complaints, peak crowding and government support for

the sector. The data is provided with the cooperation of Network Rail, ATOC, freight operators, train operators, DfT and Rail Safety and Standards Board.

2.1.3   Data commissioned or managed directly by the DfT include: the National Rail Travel Survey of passenger trips on the national rail system in Great Britain; surveys of public experiences of and attitudes towards rail travel; rail subsidy per passenger mile and the proportion of trains running on time in its Business Plan 2011-2015; and general Rail Trends 2010/11.

2.2 Collaborating with developers - data services provided by NRE and RSP

2.2.1   Train companies have invested at risk in NRE. The service has developed its own software application, Darwin, which pulls in data from a wide range of sources, combines and interprets that data, and gives real time results to queries from passengers. NRE collaborates with entrepreneurs and developers to help them exploit this application to respond to the increasing demand from the public to be able to access real time information.

2.2.2   NRE operates a licensing scheme that, among other things, seeks to attract entrepreneurs and stimulate the market in real time information. The licensing is covered by the NRE real time systems code of practice agreed with the Office of Rail Regulations (ORR). NRE licenses developers to ensure that they adopt the same level of responsibility as NRE in providing information of the highest quality. The aim is to seek partners who wish to collaborate in the development of the market for real time information.

2.2.3   There is a cost involved in providing real time services. NRE believes that where there is a material cost of, or other impact from, making real time train information available, this should be recovered on a reasonable basis from licensees rather than by relying on continued or increased support from taxpayers. This applies to all licensees (because train companies already bear the cost of running the service). In most cases, NRE makes a charge to cover the services it provides although in some cases it will accept non-monetary compensation, such as advertising and links to NRE's main site. Particularly keen to encourage micro developers, NRE has structured the charging so that developers are charged nothing until they sell their first smartphone app and start making money.

2.2.4   RSP provides a range of common, largely ICT based services to those operators and third party providers of information and retail services. It also collects retail sales data from 8,500 ticket issuing systems, maintains the central industry fares database and provides tools for rail operators to set fares, and distribute fares, timetable, station and other industry data to ticket issuing and information systems. RSP also provides the National Reservation Service that enables retailers to book reservations on all trains with reservable seats and it provides timetable and fares information to developers for an annual fee.

2.3 Passengers exercising choice - data generated by train companies and third party retailers

2.3.1   Rail passengers have a wider choice of ways to buy their rail ticket than in any other European country. While most continental railways offer some or all of the channels available to passengers in this country, we believe that none has the same degree of choice, particularly with regards to internet and telephone booking. Train companies have led the way in developing and promoting online booking services, providing passengers with the opportunity to compare providers and exercise choice.

2.3.2   NRE is the main source of rail information in Britain, providing passengers with everything they need to know about travelling by train and handling 250 million enquiries per annum from 16 million customers. NRE was set up by train companies after privatisation to meet their statutory requirement to provide a call centre service. Expanding beyond these obligations, NRE launched its website in 2002 and added its cheapest fare finder in 2009 which shows the cheapest fares for all train operators on all routes. The enquiry service also supplies stations information, incident and engineering work information, and a journey planning service to third parties. The last decade has seen the total number of enquiries it handles increase fourfold (see fig. 1).
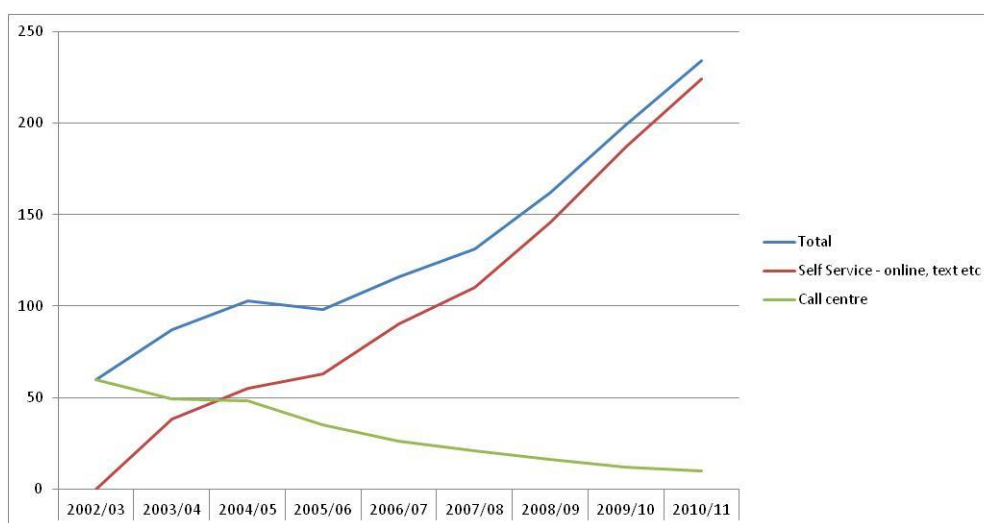

Figure 1: number of enquiries handled by NRE, in millions: source NRE

2.3.3   Virtually all train companies now offer an online booking facility through their websites, via a dedicated service or a third party provider, allowing passengers the opportunity to compare operators and book their tickets from a wide variety of different websites. The emergence of new technology providers in recent years has led to increased levels of innovation and competition. Third party retailers, such as thetrainline.com and redspottedhanky.com, provide passengers with a further avenue for comparing providers and exercising choice.

3. **Availability of information delivering positive outcomes**

3.1 Punctuality and reliability have seen significant improvements over the past decade, rising from around 75% during the winter of 2001/02 to more than 90% for the past four years (see fig. 2). While there are many factors for these improvements, throughout this period the ORR has published these public performance measures for the industry as a whole and train companies have published their own scores every four weeks. Passenger rail recognises that punctuality and reliability have a direct impact on attracting and retaining passengers, and these measures have helped to focus minds across the railways on performance.
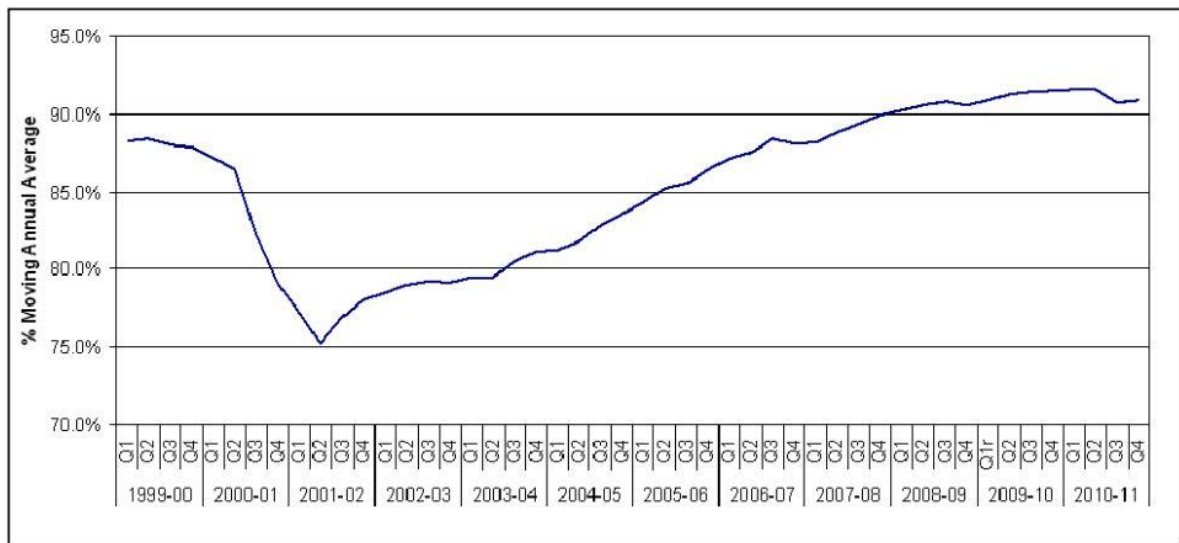

Figure 2 Public performance measures (network) 1999 -2011: source IIP

3.2 Customer satisfaction, as measured by Passenger Focus's national survey, reached an all time high of 84 per cent of passengers satisfied with their journey in spring 2011. Train companies are as keenly alert to how they score in this survey as they are at monitoring their company's public performance measures.

3.3 The number of third party retailer websites has increased significantly since train companies decided in 2007 to seek to develop internet sales by recruiting new retailers. ATOC now licenses six of these retailers, which between them sell millions of pounds of tickets a year.

3.4 NRE has issued more than 100 third party licences, including 41 for mobile apps on 10 different platforms. Agant, a small developer, struck up a deal with NRE two years ago to create a smartphone app which in its first year became one of the top five grossing Apple apps. Apps using NRE data services have won awards from the UK IT industry, the RNIB and Abilitynet.

4. **Train companies making more information available**

4.1 While much rail data and information is already available in the public domain and has helped to promote positive outcomes for passengers, train companies are alert to the need for continuous improvement. They have made proposals to the DfT and ORR on how

performance statistics, which up to now have been published at a franchise level, could be broken down into smaller, sub-franchise groupings for all but three franchises, and are awaiting a response.

4.2 From this autumn, RSP will be putting its bulk timetable data set into the public domain, allowing anybody to download the information for free (as the costs of making this available are small), as long as they take out a new simplified licence agreement, based significantly on a creative commons attribution licence. This initiative was included in David Cameron's announcement in July reiterating his commitment to publishing key data.

4.3 ATOC is also working on a series of initiatives to ensure that passengers have access to consistent and easy to understand information about tickets before, during and after the purchase. A few simple but beneficial changes have recently been delivered, such as providing an easy web link to the conditions of carriage and changing some of the more common route and restriction descriptions so that their meaning is more obvious. Customers now have greater opportunity to check which trains their Off Peak tickets are valid on. These initiatives are a precursor to a number of more extensive changes that are being planned addressing other concerns raised about information on tickets.

4.4 The industry explicitly recognises that it must become better at providing information to passengers during disruption. Activity must be more joined up as an overall programme to cover people, processes and systems. The industry has already delivered improvements for this winter including improvements in the quality and provision of information, and in providing help for customers. Train companies and Network Rail, the rail infrastructure owner and operator, are actively preparing a customer information strategy for the longer term, starting with what customers need and seeking to ensure more accurate information, delivered more consistently across channels, with more personalised information and better informed and responsive staff.

4.5 It is right that taxpayers know where their money is spent on the railways. Financial transparency is key to ensuring that the government, train companies and other railway organisations are held to account over the use of public funding. Having first produced an analysis of where public funding on rail was going in 2006, ATOC has recently provided the ORR with information on costs and revenues of individual train companies to help produce a more accurate and up to date disaggregated analysis of total industry costs and revenues.

4.6 Benchmarking data on comparative costs and quality of services can have a role in driving up the quality of outputs and outcomes where there is no competition between providers and the provider has a monopoly. ATOC believes, however, that adopting such an approach for train companies' performance on cost–efficiency is unnecessary because train companies compete keenly for the right to run franchises.

5. Principles the Government should consider in extending transparency

5.1 We share the position of the Confederation of British Industry which says: "It is important that the release of data does not lead to any unintended consequences which could cost the taxpayer or harm competition. To avoid this, the release of information must respect intellectual property and innovation, promote value for money rather than the lowest bid, maintain competitive markets with a range of bidders and encourage improved public sector management of contracts".

5.2 Ensuring passengers are confident that information about services is accurate and unbiased is fundamental to retaining customers and growing revenue. Inaccurate information results in passengers missing services because they turn up at the wrong time and failing to make their connection, or travelling with a ticket that is not valid for their journey. Biased information means passengers paying more or taking longer to travel than they would on an alternative service that would be cheaper or faster. While the provider of inaccurate or biased information about a service may ultimately be punished by consumers, there is a reputational risk for the service provider and the railways as a whole that would act as a deterrent to passengers. In promoting transparency, a priority must be to sustain passenger confidence in the quality of information they use about rail services, by ensuring that information is displayed accurately and reliably, surges in demand for data do not overload systems and dishonest users cannot exploit data for fraudulent ends.

5.3 It is also particularly important that the implications of measures to extend transparency are assessed before they are introduced. If they add to overall costs, a decision has to be made about who pays. Current Government rail policy is driven by two imperatives among others: the need to improve the overall cost efficiency of the industry (the [McNulty report](#) suggests a 30% improvement in efficiency should be achieved by 2018/19); and that taxpayers should pay a smaller share of the total funding for rail. ATOC believes that where there is a cost from data provision, this cost should be recovered on a reasonable basis from licensees rather than relying on continued or increased support from taxpayers.

5.4 Train companies compete with other transport modes, such as road and air transport, and in recent years they have had some success in attracting customers from more polluting forms of travel: for example, rail's market share on the 10 most popular domestic air routes grew [from 29% to 44%](#) in the four years to 2010. As recipients of public funding, train companies are subject to greater transparency than airlines which do not receive government funds. Where both modes are competing head-to-head, however the risk needs to be avoided that the greater transparency expected of train companies puts them at a commercial disadvantage and so undermines the government's objective of generating increasing levels of revenue from the railways. Ensuring a level playing field is also important with regard to road transport which receives large amounts of public funding but for which we believe there is little if any publicly-available information about performance and passenger feedback similar to the railways' public performance measures or the National Passenger Survey.

6. Conclusion

6.1 The railways, a partnership between the public and private sectors, are booming, with more than 1.3 billion journeys in the past year, an increase in demand of almost 70 per cent since 1996/7. The provision of information to passengers by the railways, and train companies in particular, is one factor among many that has contributed to the growing popularity of rail travel.

6.2 This growth, however, has been accompanied by rising costs, and, since 2004, government has sought to reduce the contribution made by taxpayer subsidies and increase the revenue raised from passengers. The rail industry – Network Rail, freight and passenger operators, and suppliers – is determined to take up the challenge of improving the sector's value for money and strengthening its long term financial sustainability, while continuing to improve services to passengers. ATOC agrees with the Government that greater transparency, taking into consideration the principles set out above, would help to enhance rail's accountability, reform the sector, empower passengers and generate economic activity. We look forward to the opportunity to continue informing the Government debates on transparency and the open data as they apply to the railways.

Appendix

TOC	OG	Punctuality figures	Reliability figures	Previous p+r figures	Overcrowding figures	Crime / ASB figures	Customer service performance	Independent satisfaction research	OG listed on FTSE?	CSR report?
Arriva Trains Wales	Arriva Trains UK	Yes	Yes	Yes	No	Yes – via BTP	Yes – via ORR	Yes –NPS results	No	Yes – OG
Chiltern	Arriva Trains UK	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	No	Yes - OG
CrossCountry	Arriva Trains UK	Yes	Yes	Yes	No	Yes – via BTP	Yes – via ORR	Yes –NPS results	No	Yes – OG
LOROL	Arriva/MTR	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	No	No
East Coast	DOR	Yes	Yes	Yes	No	Yes –	Yes – via	Yes –NPS	No	No

						via BTP	ORR	results		
First Capital Connect	FirstGroup	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	Yes	Yes – OG
First Great Western	FirstGroup	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	Yes	Yes – OG
First ScotRail	FirstGroup	Yes	Yes	Yes	No	Yes – via BTP	Yes – via ORR	Yes –NPS results	Yes	Yes – OG
First TPE	FirstGroup/Keolis	Yes	Yes	Yes	No	Yes – via BTP	Yes – via ORR	Yes –NPS results	First – Yes Keolis - No	Yes - OG
London Midland	Go-Ahead Group/Keolis	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	Yes	Yes – TOC
Southeastern	Go-Ahead Group/Keolis	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	Go-Ahead – Yes Keolis – No	Yes – TOC
Southern	Go-Ahead Group/Keolis	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	Go-Ahead – Yes Keolis - No	Yes – TOC
c2c	National Express	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	Yes	Yes - OG

NXEA	National Express	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	Yes	Yes - OG
Merseyrail	Serco/Abellio	Yes	Yes	Yes	No	Yes – via BTP	Yes – via ORR	Yes –NPS results	Serco – Yes Abellio - No	Yes – TOC
Northern	Serco/Abellio	Yes	Yes	Yes	No	Yes – via BTP	Yes – via ORR	Yes –NPS results	Serco – Yes Abellio - No	Yes – TOC
East Midlands Trains	Stagecoach Group	Yes	Yes	Yes	No	Yes – via BTP	Yes – via ORR	Yes –NPS results	Yes	Yes - OG
South West Trains	Stagecoach Group	Yes	Yes	Yes	Yes – via ORR	Yes – via BTP	Yes – via ORR	Yes –NPS results	Yes	Yes - OG
Virgin Trains	Virgin/Stagecoach Group	Yes	Yes	Yes	No	Yes – via BTP	Yes – via ORR	Yes –NPS results	Stagecoach – Yes Virgin - No	Yes - TOC