



Name: Doug Paulley
By email: request-834924-147b4e46@whatdotheyknow.com

Network Rail
Freedom of Information
The Quadrant
Elder Gate
Milton Keynes
MK9 1EN

E FOI@networkrail.co.uk

20 April 2022

Dear Doug Paulley,

Internal Review reference number: IR2022/00363
Original request reference number: FOI2022/00227

Thank you for your email on 21 March 2022, which I have dealt with as an internal review of response FOI2022/00227.

On 19 February 2022 you requested the following information:

During Storm Eunice, Govia Thameslink cancelled assistance bookings and refused new assistance bookings for services that they were still running. Their head of public affairs said "that the Do Not Travel advice and guidance on providing assistance was agreed with other Train companies, the @RailDeliveryGrp and @railandroad in advance."

- *I would like to see that "guidance on providing assistance" please.*
- *Please supply the notes and formal decision from any meetings that resulted in the above decision / guidance, copies of emails that mention or discuss plans for booked passenger assistance sent from RDG to the access and inclusion forum.*
- *The storm response management plan groups in each train operating company*
- *Emails from the train operating companies to request action/cancellations etc. relating to booked passenger assistance during the storm.*

Please also advise what actions and decisions you took regarding booked passenger assistance involving stations you manage.

- *Did you continue to provide said assistance?*
- *Did you mass cancel and refuse assistance bookings involving your stations, as GTR did?*
- *Did you provide alternative transport for disabled people?*

On 18 March 2022, Network Rail responded to your request explaining that we did not hold any information by way of documents, guidance or emails concerning passenger

assistance cancellations for storm Eunice. The response also answered your last questions advising that Network Rail did not cancel or refuse any bookings.

On 21 March 2022, you contacted Network Rail requesting an internal review of this response stating:

I am writing to request an internal review of Network Rail Limited's handling of my FOI request 'Handling of passenger assistance bookings during Storm Eunice'.

You said:

"We do not hold any recorded information for questions one to four as we (Network Rail) were not involved in any discussions with either RDG or any train operating companies regarding the delivery of passenger assistance during Storm Eunice."

Yet I understand that Network Rail staff are on the "accessibility group" - an email group of accessibility leads at train and station operators and RDG. The Accessibility Group definitely had management discussions about the industry's approach to passenger assistance during Storm Eunice, as released by Northern Rail.

<https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whatd otheyknow.com%2Frequest%2F834926%2Fresponse%2F2000133%2Fattach%2F 4%2FEmail%25202%2520Redacted.pdf&data=04%7C01%7CFOI%40netwo rkrail.co.uk%7Cc33c3a820a194fbc8c4b08da0b67701e%7Cc22cc3e15d7f4f4dbe0 3d5a158cc9409%7C0%7C0%7C637834836277653047%7CUnknown%7CTWfp bGZsb3d8eyJWljojMC4wLjAwMDAILCJQljojV2luMzIiLCJBtI6Ik1haWwiLCJXVCi6 Mn0%3D%7C3000&sdata=4cBJj%2FO4WCRToaHPCIAAnOyvy8u35kIqGbXH w4%2Bdq%2B%2B8%3D&reserved=0>

So Network Rail do hold "copies of emails that mention or discuss plans for booked passenger assistance sent from RDG to the access and inclusion forum".

I'm wondering what other materials Network Rail may have overlooked when replying to my Freedom of Information Request. Please check.

I have considered this internal review under the Freedom of Information Act 2000 (FOIA).

You have received some emails from Northern Rail which were sent to the 'Accessibility Group' of which Network Rail staff are members, hence you dispute the fact that Network Rail does not hold any information for this request. Therefore, for the internal review I have made additional searches to determine whether Network Rail holds relevant information which should have been provided to you.

Decision

I have located 10 emails that were sent to the 'Accessibility Group' held by Network Rail staff. These emails should have been provided to you as part of your initial request. The emails are the same as the ones you have already received from Northern Rail.

I am also providing one other email which provides a summary of a meeting held prior to Storm Eunice. This email does not specifically mention passenger assistance bookings but may be useful to explain the discussion on the storm.

Consideration

I thought it might be helpful to start out by explaining Network Rail's involvement in the passenger assistance bookings.

Network Rail delivers passenger assistance bookings on behalf of the Train Operating Companies (TOCs). Bookings are made by TOCs and are booked on the Industry Transport system which can be accessed by station staff. Network Rail does not manage the bookings, so we do not cancel or amend them. Any passengers who were notified of cancellations would have been done so via the TOC. Any bookings that were showing in the system on the day of Storm Eunice were honoured. Network Rail also provides assistance to any individuals who turn up on the day and request it.

On 17 February 2022 prior to Storm Eunice, Network Rail colleagues attended a Customer Information Group Meeting held by the Rail Delivery Group (RDG). This meeting discussed the TOCs' response to Storm Eunice and the Do Not Travel notification. Network Rail representatives attended the meeting for awareness only and were not required or requested to provide comment. One email summarising the meeting was sent internally, however this email does not refer to passenger assistance. I have provided you a copy of this email for awareness. This email represents the position at 10:00am on 17 February, and you will see from this email that the travel advice issued at this point was 'Check Before You Travel' rather than 'Do Not Travel'.

Network Rail were later sent the attached emails from RDG and the TOCs which changed the travel advice to 'Do Not Travel'.¹ These are the same emails you have been provided by Northern Rail, but I am including them with this response to demonstrate the extent of information held by Network Rail. Network Rail were not sent any storm management plans by any of the TOCs and were not sent any formal minutes from the Customer Information Group meeting. My enquiries have confirmed that no additional notes, other than the summary email, were taken, and Network Rail does not hold any other information.

I am sorry that this information was not provided to you with your initial response, and I hope you find this explanation helpful.

Yours sincerely
Danielle Stratton
Information Right Specialist– Compliance & Appeals

¹ I have withheld the names and contact details of individuals under section 40(2) of the FOIA. This exemption allows us to withhold information relating to the personal data of identifiable individuals in circumstances where its disclosure would breach the key principles set out in Article 5 of the UK General Data Protection Regulations. The first principle mandates that data must be processed in a lawful, fair, and transparent manner. The individuals concerned would have no expectation that their names would be disseminated to the world at large through the FOIA process. It would not be a lawful processing of their data to disregard these legitimate expectations.

Appeal rights

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner (ICO) can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or you can contact the ICO through the 'Make a Complaint' section of their website on this link: <https://ico.org.uk/make-a-complaint/>

The relevant section to select will be "Official or Public Information".