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**From:** Doug Paulley <doug.paulley@kingqueen.org.uk>  
**To:** transcom@parliament.uk  
**CC:**  
**BCC:**  
**Date:** Sunday, March 20, 2022 6:24:16 PM  
**Subject:** Decision to cancel all passenger assistance during Storm Eunice

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Dear Mr Merriman,

I am writing to you in your capacity as Chair of the Transport Select Committee, in order to raise concerns about the handling of rail passenger assistance bookings during Storm Eunice.

I forward below an email I have sent to Wendy Morton, Rail Minister, on this matter.

Thank you

Doug Paulley

This is a forwarded message

**From:** Doug Paulley <doug.paulley@kingqueen.org.uk>  
**To:** wendy.morton.mp@parliament.uk  
**Date:** Sunday, March 20, 2022, 6:12:18 PM  
**Subject:** Decision to cancel all passenger assistance during Storm Eunice

====8<=====Original message text=====

Dear Wendy Morton,

**Please excuse me for contacting you using your constituency MP email address. I'm** contacting you in your role as Minister of State for Transport, with responsibility for rail, and as transport ministerial champion for disability; however, I could not find contact details for you in that context.

Govia Thameslink Railway (GTR) cancelled and refused all assistance bookings during Storm Eunice.

On Thursday, 17th February, GTR cancelled all Passenger Assistance bookings for all its services due to run on 18th February and then refused all new assistance bookings for journeys.

**As I am sure you know, the Rail Industry had a "Do Not Travel" advisory for Friday 18th** February due to Storm Eunice. However, the industry still ran rail services where possible, still sold tickets for those services, and people who needed to still could and did travel on said services.

It is a questionable decision at best to cancel and refuse all assistance bookings where services are still running. It is good to contact passengers to advise them not to travel and **assist with rebooking for another time, but that isn't what happened. GTR cancelled all** assistance bookings.

To the best of my knowledge, this is the first time rail passenger assistance bookings have been cancelled or refused *en bloc* in the 25+ years that I have been using the railway as a disabled person.

## Decision-making process

I complained to GTR that they had refused my booking request. However, I was unsatisfied with the result, so I corresponded with the Office of Rail and Road (ORR) and sent Freedom of Information requests to publicly owned train and station operators to ask them how the industry made decisions about what to do regarding booked passenger assistance during Storm Eunice, and what the operators did as a result.

**The attached emails are contemporaneous emails from the "accessibility email group", which I understand includes the accessibility leads at each Train Operating Company (TOC) / station operator and Rail Delivery Group (RDG).**

From said emails, we can see that RDG decided to cancel all passenger assistance bookings across the whole country for that day and to refuse all new ones. That decision appears to have been made by one officer at RDG - Dominic Lund-Conlon (DLC), **RDG's Accessibility and Inclusion Manager**. RDG then communicated that decision to operators solely through DLC's email.

RDG made the decision without the direction or consultation of any train or station operating companies. RDG instructed its members to cancel and refuse all assistance bookings for 18th February, without any information on how it had reached that decision other than *'if "Do Not Travel" is in place, then you can't offer journeys that you are actively telling all customers not to make.'*

RDG informed the ORR that TOCs were cancelling assistance

**GTR and LNER requested DLC get "ORR confirmation" of his instructions to cancel and refuse all assistance bookings for Friday 18th February across the country.**

DLC phoned the ORR and followed up by email to tell **them that "at present, all train operators are undertaking proactive contact with customers who are booked to travel on Friday to rearrange their planned journeys. Alongside this, members will be not accepting any new booking requests from customers for Friday". DLC didn't ask the ORR to confirm his plan; he simply told them that train operators were already cancelling and refusing bookings.**

The ORR were therefore under the impression that the industry was presenting them with a **unified fait accompli, instead of the RDG relaying TOCs' request that the ORR confirm RDG's intended actions concerning booked passenger assistance.** The ORR told me by **email: "On the 17th February the rail industry took the decision to proactively contact all passengers that had booked assistance on journeys due to take place on 18th and 19th February, in order to cancel and (where possible) rearrange these bookings."**

**The ORR had been taken in by DLC / RDG's false claim. The ORR were unaware of the nature of the so-called "industry decision" to cancel and refuse all assistance bookings. RDG had frankly hoodwinked them. Had it not been for uproar from affected disabled customers and for my research, the actual nature of the so-called decision would not have become known.**

Many TOCs did not cancel assistance.

Northern, Network Rail and LNER did not cancel or refuse any assistance bookings (i.e. **they defied RDG's instruction.**)

South-Eastern contacted all customers with booked assistance to warn of likely disruption. Where customers indicated they still intended to travel, South-Eastern maintained their booking; however, they did refuse any new bookings for the period in question.

**So, for DLC / RDG to claim to the ORR that "all operators" were cancelling and refusing bookings is therefore inaccurate.**

RDG (through their subsidiary National Rail Enquiries) similarly misinformed the public. [https://web.archive.org/web/20220217212120/https://www.nationalrail.co.uk/service\\_d](https://web.archive.org/web/20220217212120/https://www.nationalrail.co.uk/service_d) *"Customers with assistance booked for Friday 17th February will be contacted by the train company they are booked with to rearrange their journeys."* **One assumes they meant Friday** 18th February, but this information was erroneous as many or most TOCs did not rearrange assisted travel bookings.

### Transparency and Accountability

I think a decision to (ostensibly) cancel all assisted travel bookings for all rail travel across the country for 24 or 48 hours when trains are still running is quite a significant decision.

**Booked passenger assistance isn't an optional extra, a "nice to do" add-on, it is part of every train and station operator's license conditions** - and with good reason. Disabled people are entitled to travel by rail with as much assurance and assistance as possible, to the same degree as any other passenger, even during disruption. I would therefore have hoped and expected that any decision to block-cancel and refuse assistance bookings (NB: for trains that are still running!) would be a well-made decision with all due diligence, consultation, and accountability; even given the difficult circumstances faced by the rail industry on the day.

I would have assumed that there would be some defined criteria by which such a decision would be made, that all significant industry organisations concerned with the booking or provision of assistance would be involved, and that this would then be communicated and acted upon reliably and universally by said bodies.

However, RDG (in fact, one person - DLC) took the authority and unilaterally instructed all industry members to cancel and refuse all assistance bookings. They made this decision without consulting or involving any of their member organisations and without demonstrating or explaining how they came to the decision. Instead of seeking ratification from the ORR, they simply made out that its members were already implementing the decision.

**As you know, RDG isn't a statutory/public body. They aren't subject to the same accountability and transparency rules as public bodies. They aren't subject to regulation by the ORR, judicial review, the Freedom of Information Act, or any other checks and safeguards to which public bodies are subject. As a result, there's no clear or straightforward way to "call in" their decisions.**

**Surely this isn't how such significant decisions over disabled people's access to transport should be made. An individual or a non-public body should not make such decisions. This bumbling, "seat of the pants" unaccountable "cancel all assistance" decision, made by an individual through no clear process and only part-implemented (at best) by the rail industry, and misrepresented to the regulator, serves nobody well - the railway industry, regulators, operators, or (crucially) disabled passengers.**

A concerning precedent

I am concerned that there may be similar block-cancellations and refusals of assisted travel bookings in **the event of future storms. Or, indeed, at the risk of a "slippery slope" argument**, what if RDG / DLC unilaterally decides to do similar in other disruptive circumstances? What is to stop them from doing similar in response to prospective disruption caused by strikes, leaf-fall, or industrial action? There must be learning from this incident to mitigate the **damage done to disabled passengers' confidence in booked assistance provision during any form of anticipated disruption.**

I think that if it is ever acceptable to mass cancel and refuse assistance bookings, the criteria for deciding to do so should be publicly laid down by an authoritative accountable public body through a well-made process (presumably by the ORR), along with a clear mechanism for making, documenting, and implementing it each time it is invoked.

I wonder if it would please be possible for the DFT or another industry organisation (perhaps the ORR or the RSSB?) to examine what happened with passenger assistance bookings during Storm Eunice, to achieve learning to prevent similar happening in the future, and to recommend and implement procedures for similar future disruption.

Thank you ever so much

All the best

Doug Paulley

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## EMAIL 1

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**From:** [redacted]  
**To:** [redacted]  
**Subject:** Alert: Storm preparation  
**Sent:** 17 February 2022 11:20:05  
**Importance:** High

Dear all,

This is a pre-alert – I'm shortly to be sending you some urgent information about the next 72 hours and the incoming storm. Please be advised that there will be some clear comms regarding do not travel advice for Friday within that email.

In relation to this, there will likely be a need to contact customers who have requested assistance for travel on Friday. Please can I ask that you prepare resources to begin to proactively contacting customers from lunch time, as we notify you of that travel advice.

If you have not responded to my email yesterday regarding contact centre's receiving NRCC comms, please do so urgently.

Please accept my apologies for the short lines to this email .

Dominic

[Rail Delivery Group logo] [Rail Delivery Group redacted signature.]

2nd Floor, 200 Aldersgate Street, London EX1A 4HD

[www.raildeliverygroup.com](http://www.raildeliverygroup.com)

[Rail Delivery Group signature]

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## EMAIL 2

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**From:** [redacted]  
**To:** Accessibility Group [redacted]  
**Subject:** RE: Alert: Storm preparation  
**Sent:** 17 February 2022 12:24

Dear all,

Please see the latest travel information at:

[https://www.nationalrail.co.uk/service\\_disruptions/290133.aspx](https://www.nationalrail.co.uk/service_disruptions/290133.aspx)

If you are the first TOC on a customers journey that is affected, please make contact with them soonest to rearrange journeys where applicable.

The following press release as also been issued:

<https://media.raildeliverygroup.com/news/railcompanies-urge-customers-to-re-plan-journeys-as-storms-threaten-major-disruption>

If you have any issues, please alert me soonest.

Kind regards

Dominic

[redacted signature]

2nd Floor, 200 Aldersgate Street, London, EX1A 4HD

[www.raildeliverygroup.com](http://www.raildeliverygroup.com)

[Rail Delivery Group signature]

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## EMAIL 3

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**From:** Charlotte Haynes <[redacted]>  
**Subject:** Re: Alert: Storm preparation  
**Sent:** 17 February 2022 12:31

Hi [redacted]

Thanks. GTR Assisted Travel are already proactively contacting booked customers to make clear the likely impacts on booked travel tomorrow. Our web message already highlights extensive disruption on TLGN network and are now expecting this to be updated to a 'Do not travel' message across the whole GTR network imminently.

Given the strength of the 'Do not travel' message, we would appreciate industry clarity whether we should/could cancel booked travel altogether over this period as to take a booking for a journey that we know is highly likely to be disrupted may set an unrealistic expectation.

Conversely, refusing a booking, as we know goes against everything we would normally do, so this is uncharted territory.

Appreciate urgent guidance on this so the advice we provide to our booked customers is consistent with industry ie whether we should refuse a booking if there is a general 'Do not travel' message in place?

Thanks

[redacted]

[redacted signature]

[Great Northern, Gatwick Express, Southern Rail and Thameslink logos]

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## EMAIL 4

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**From:** [redacted]  
**To:** [redacted]  
**CC:** [redacted]  
**Subject:** RE: Alert: Storm preparation  
**Sent:** 17 February 2022 12:33:44

Hello

If "Do Not Travel" is in place, then you can't offer journeys that you are actively telling all customers not to make.

I will email the ORR to set out the situation if the group would like me to?

Dominic

[redacted signature]

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## EMAIL 5

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**From:** [redacted]  
**To:** [redacted] Accessibility Group [redacted]  
**CC:** [redacted]  
**Subject:** Re: Alert: Storm preparation  
**Sent:** Thursday, February 17, 2022 12:35:12 PM

Very helpful [redacted] thanks.

Getting ORR confirmation asap would be much appreciated.

Thanks

[redacted]

[redacted signature]

[Great Northern, Gatwick Express, Southern Rail and Thameslink logos]

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## EMAIL 6

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**From:** [redacted]  
**To:** [redacted] Accessibility Group  
**Subject:** Re: Alert: Storm preparation  
**Sent:** 17 February 2022 12:38

Yes please - obviously we kind of need a response in hours so hopefully they'll understand the urgency.

[redacted initial]

Get Outlook for IOS

[LNER logo] [redacted signature]

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## EMAIL 7

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**From:** [redacted]  
**To:** [redacted] Accessibility Group [redacted]  
**Subject:** RE: Alert: Storm preparation  
**Sent:** 17 February 2022 12:41

To confirm I'm putting calls in now to follow up with emails straight after.

Thanks

[redacted]  
Rail Delivery Group  
[redacted signature]

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## EMAIL 8

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**From:** [redacted]  
**To:** [redacted] Accessibility Group  
**Subject:** RE: Alert: Storm preparation  
**Sent:** 17 February 2022 13:24

Dear all

The following email has been sent to the ORR:

Dear [redacted]

I would like to update you on the current work underway in relation to passenger assist bookings for Friday 18 February and the “Do Not Travel” notice issued today.

At present, all train operators are undertaking proactive contact with customers who are booked to travel on Friday to rearrange their planned journeys. Alongside this, members will be not accepting any new booking requests from customers for Friday, instead directing customers to alternative days when journeys can be made (which is in line with the overall “Do Not Travel” for all customers, not just customers requiring assistance). I would also like to alert you that we may experience challenges with alternative transport due to the weather, as service providers may make their own operational safety decisions.

Full customer information can be found at [https://www.nationalrail.co.uk/service\\_disruptions/290133.aspx](https://www.nationalrail.co.uk/service_disruptions/290133.aspx) which includes a paragraph about assisted travel.

If you have any questions, please don't hesitate to reach out to me.

Kind regards  
[redacted]

When speaking to [redacted] just now, he thanked me for the update and will keep it in mind should there be any customer contact about this.

Kind regards  
[redacted]  
Rail Delivery Group  
[redacted signature]

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