

# Chilternrailways

## Complaints Handling Procedure

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# Chilternrailways

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## 1. Introduction

These guidelines define the process for handling customer complaints related to Chiltern Railways Ltd and the agreed standards relating to cases where compensation is claimed.

## 2. Principles and Objectives

The overriding principle is that we will answer and fully investigate all complaints, using our findings to drive improvement where required.

The definition of “complaint” for the purpose of these guidelines is:

“Any expression of dissatisfaction by a customer or potential customer about service delivery or company or industry policy where a response or resolution is explicitly or implicitly expected.”

Source: Office of Rail and Road (ORR) Complaints Code of Practice.

These guidelines aim to ensure that the customer receives a prompt and reasonable response and compensation (where appropriate) that is fair and reasonable to all parties involved.

This document also recognises the importance of complaints as a valuable source of information that allows us to identify areas of improvement, formulate appropriate

courses of corrective action and arrange implementation and ongoing monitoring.

## 3. Contacting Chiltern Railways

**3.1** Customers can contact Customer Services via the routes detailed below

Method of contact	Details
Online	<a href="http://www.chilternrailways.co.uk/contact-us">www.chilternrailways.co.uk/contact-us</a>
Email	<a href="mailto:customer.service@chilternrailways.co.uk">customer.service@chilternrailways.co.uk</a>
Post	Customer Relations, Chiltern Railways, Banbury ICC, Merton Street, Banbury, OX16 4RN or “Freepost Chiltern Railways”
Telephone	03456 005 165 (number accessible from mobiles at no additional cost) Customer Relations opening hours 08.00-20.00, 7 days a week (answer machine available outside of these hours)
Social media	Twitter: @chilternrailway (opening hours 06.00-2200, 7 days a week) Facebook: Chiltern Railways (opening hours 06.00-2200, 7 days a week)
Via a member of staff	Any Chiltern Railways employee will be able to assist should you need to complain or pass on your comments. They will use their discretion to resolve the issue or will direct you to Customer Relations for further assistance.

All complaints should be addressed to Chiltern Railways Customer Relations and must include the following:

- Name and contact information
- Details of the complaint including date, time and location if appropriate
- Details of the journey if appropriate
- Copies of train tickets if relevant

**3.2** We will respond to all contact made via our social media channels. We will take conversations offline and pass them on to the Customer Relations team to investigate and provide a full response to the customer. Social media is not a platform for customer complaints.

**3.3** Chiltern Railways will ensure that information concerning how to make a complaint is displayed as follows:

- Available in all major publications such as in timetable booklets and in the Passenger's Charter, which is provided on the Chiltern Railways website and can be obtained from any staffed station
- Notices are posted in each carriage of every train
- Notices are posted prominently at every station

**3.4** All material publicising the Complaints Handling Procedure will display the address and telephone number of the relevant organisation that customers can refer their complaints to should they not be happy with our final response.

**3.5** Customers will be able to obtain comment forms from on-train staff and at each staffed station. Customers will also be able to submit written comments via our website.

**3.6** At unstaffed stations a notice will be displayed stating where comment forms can be obtained, e.g. the nearest staffed station, as well as displaying our web address where comments can be made directly.

**3.7** At multi-operator stations, posters will advise customers on how to contact each train company if they have a complaint specific to that company. Comment forms for individual train operators will also be available upon request.

**3.8** Chiltern Railways will provide a clear statement regarding procedures concerning the handling of customer complaints within its Passenger's Charter, which is available to all customers upon request at staffed stations, or via the Customer Relations Department. The Passenger's Charter is also available on our website **[www.chilternrailways.co.uk/customer-service/passengers-charter](http://www.chilternrailways.co.uk/customer-service/passengers-charter)**

**3.9** Chiltern Railways will provide whatever assistance may be reasonably required to enable all customers to utilise this Complaints Handling Procedure and will ensure that carers, support workers and guardians can act on behalf of a passenger with that passenger's prior permission.

**3.10** A copy of this Complaints Handling Procedure will be available for staff to print from all staffed stations and our Customer Relations Department. A copy will also be available on our website.

**3.11** All customer-facing staff will be briefed on the contents of this Complaints Handling Procedure.

**3.12** We can also supply customers with literature in a range of different formats upon request, including large print. Further information on accessible travel information can be found here: [www.chilternrailways.co.uk/before-you-travel/Assisted-Travel-Information](http://www.chilternrailways.co.uk/before-you-travel/Assisted-Travel-Information).

## 4. Complaints Handling Service Standards

Further details about our Complaints Handling Service Standards can be found on our website at [www.chilternrailways.co.uk](http://www.chilternrailways.co.uk)

Customer Focused	We will put you at the heart of the complaints handling procedure
Accessible	We will communicate with you in a clear manner
Simple and Timely	We will make it as easy as possible for you to contact us, and be upfront and honest with you about our timescales for dealing with your correspondence
Fair	We will be objective and impartial, using evidence and basing our response on facts and established circumstances rather than assumptions

Deliver Improvements	We will strive to improve our complaints handling service, using analysis of outcomes to support service delivery and drive service quality improvements
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## 5. Response Timescales

**5.1** Chiltern Railways will adhere to the following timescales for responding to each customer's comments\* or complaint^:

Written	*90% responded to within 10 working days ^95% responded to within 10 working days
Fax	*90% responded to within 10 working days ^95% responded to within 10 working days
Telephone	Where possible, immediate resolution *90% responded to within 10 working days ^95% responded to within 10 working days

NB The reference to working days stipulated above means Monday to Friday excluding public holidays.

**5.2** Chiltern Railways will endeavour to meet the response timescales detailed in 5.1, except where Chiltern Railways receives a sudden and unexpected large increase in the volume of complaints. Circumstances where this may apply include exceptionally severe weather conditions, riots or civil commotion, line closures and line blockages. In such cases, Chiltern will ensure that the ORR and relevant Alternative Dispute Resolution service are made aware and will continue to make reasonable efforts to achieve the timescales set out in 5.1.

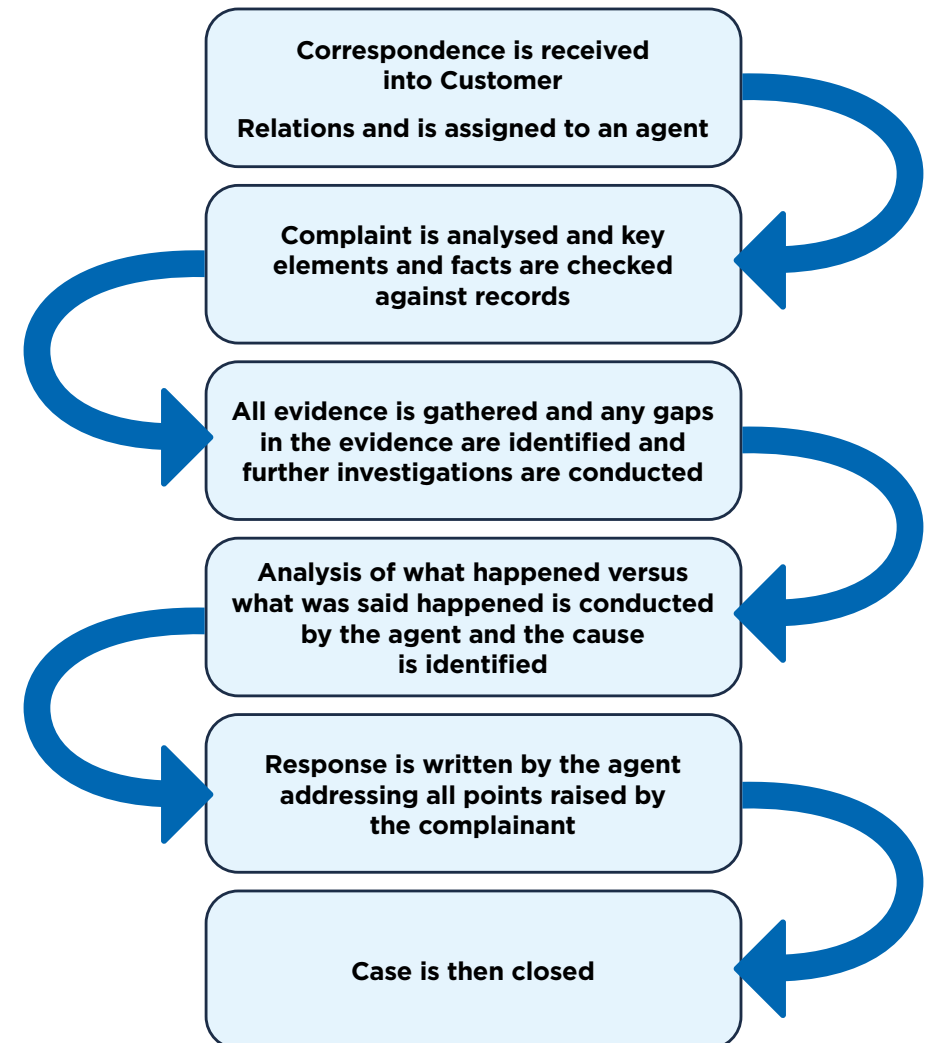
**5.3** In cases where complaints cannot be answered fully either within the agreed timescale or as a result of situations as described in 5.2, Chiltern Railways will advise customers via automated email replies and a post on our Contact Us webpage. Holding letters will be sent and we will provide progress updates to complainants every 10 working days after the target response time has elapsed.

**5.4** All responses are delivered in a tone that encompasses the Chiltern Values, which are “With Care, With Creativity, and With Each Other”. Responses will not include railway industry jargon or acronyms.

**5.5** In cases where Chiltern Railways receives a customer complaint which is not related to either its services or facilities, the complaint will be logged onto our Contact Management System (CMS) and a copy retained. The original correspondence will be forwarded to the relevant train company. Chiltern Railways will advise the customer in writing of the action taken and will provide them with details of the address and contact number of the receiving organisation.

**5.6** In respect of complaints concerning other parties, Chiltern Railways will make a reasonable endeavour to address the issues with their cooperation and coordinate a response where practical. Where a more detailed response is required, correspondence will be sent to the other relevant parties within a reasonable timescale. Chiltern Railways will advise the customer that this has been done and will include the address and contact number of the other party.

**5.7** Chiltern Railways will always ensure that a full and fair investigation is undertaken for all complaints with the aim of providing a satisfactory response. Our investigation process is as below:



## 6. Compensation

**6.1** You may be entitled to claim compensation if you are delayed in reaching your destination because of a delay or cancellation of a Chiltern Railways train service. We are not able to consider any compensation claims in respect of delays if the delayed services are not operated by Chiltern Railways. You must make a claim within 28 days of the relevant journey unless informed otherwise by Chiltern Railways. Chiltern Railways offers passengers the right to claim compensation for delays under our own compensation scheme. You do not have to use this to recover compensation. You can claim directly under our Delay Repay scheme or by exercising your other legal rights such as those under the Consumer Rights Act 2015. However, you cannot recover the same money twice.

Length of delay	Amount of compensation paid as a percentage of your ticket price		Amount of compensation paid as a percentage of the value of your journey
	Single Ticket	Return Ticket	Season Ticket
0-14 minutes	none	none	none
15-29 minutes	25% of ticket cost	12.5% of ticket cost	25% of journey cost
30-59 minutes	50% of ticket cost	25% of ticket cost	50% of journey cost

60-119 minutes	100% of ticket cost	50% of ticket cost	100% of journey cost
120 minutes or longer	100% of ticket cost	100% of ticket cost	100% of return journey cost

Season Ticket Type	Single ticket price calculation
Annual	1/464 of ticket price
Quarterly	1/120 of ticket price
Monthly	1/40 of ticket price
Flexi/Season	1/16 of ticket price
Weekly	1/10 of ticket price

**6.2** The levels of compensation described in this Complaints Handling Procedure set out our general policy regarding compensation claims made under our Delay Repay scheme but do not in any way limit or exclude your legal rights as a consumer under the Consumer Rights Act 2015 or otherwise. You may also be entitled to recover losses not related to delays that have been caused by Chiltern Railways; further guidance is available on the National Rail Conditions of Travel website: [www.nationalrail.co.uk/times\\_fares/conditions-of-travel.aspx](http://www.nationalrail.co.uk/times_fares/conditions-of-travel.aspx)

**6.3** If Passenger Assistance is not carried out as booked, we will investigate fully and provide the relevant redress. Further information on this process can be found within our Accessible Travel Policy: [www.chilternrailways.co.uk/before-you-travel/Assisted-Travel-Information](http://www.chilternrailways.co.uk/before-you-travel/Assisted-Travel-Information)

## 7. Dissatisfied Customer

If a customer is dissatisfied with the result of their complaint, it will be dealt with as per the following escalation process:

**7.1** A complaint will be escalated to the Supervisor or Contact Centre Manager if the complainant requests this in their follow-up to our original response. If no request is made, the member of the Customer Relations Department who handled the original complaint will compose a follow-up response. Any secondary response made by Chiltern Railways may however remain unchanged from the initial response unless further information is discovered which affects the circumstances under which the original decision was made.

**7.2** Please give us the opportunity to try to resolve your complaint. If you're still unhappy with the response you receive, you have the right to appeal to the Rail Ombudsman. The Rail Ombudsman is there to help resolve ongoing complaints/disputes between us and our customers. It's free to use their services and they are independent of the rail industry. They don't take sides and just look at the evidence available. They will help us both try to reach an agreement, but if this doesn't happen, they will decide based on the evidence they've received. If you agree with their decision, then we must act on what they say.

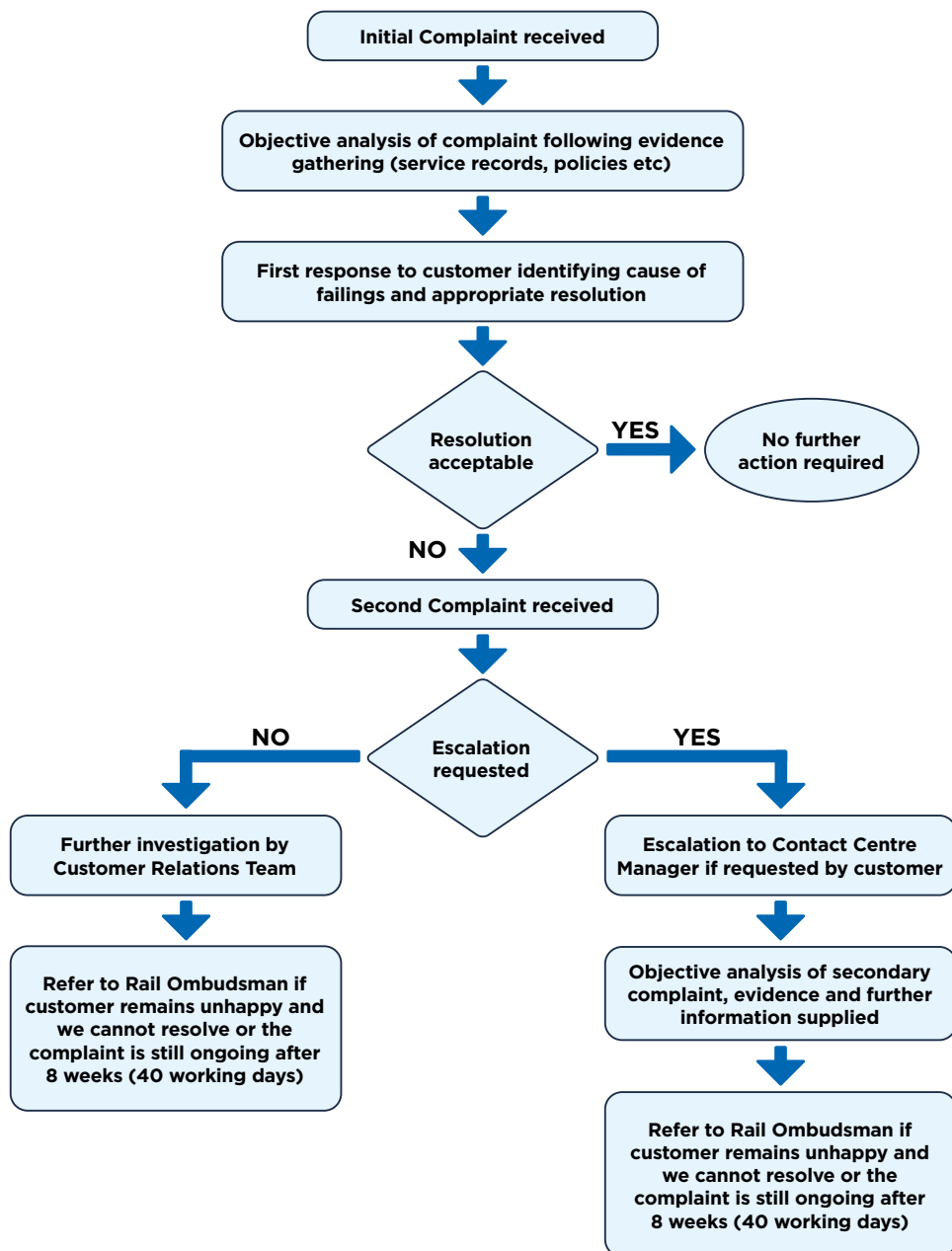
You can appeal to the Rail Ombudsman if:

- You're unhappy with our final response to your complaint which will be contained in a letter or email (sometimes called a "deadlock letter"); or
- We haven't resolved your complaint within 40 working days of receiving it; and no more than 12 months have passed since we sent you our final response.

There are some complaints that the Rail Ombudsman will not be able to investigate, for example if it relates to the way one of our services has been designed, industry policy, or if your complaint relates to an event which took place before the Rail Ombudsman service was established. If that's the case, they'll contact you to let you know. If possible, they will transfer your complaint to another organisation that may be able to help you further, such as Transport Focus or London TravelWatch, (the independent consumer watchdogs for the rail industry). They will independently review your complaint and where appropriate, follow things up on your behalf.



## Complaint escalation process



## 8. Contact Details for Rail Ombudsman

Website: (including online chat):  
**[www.railombudsman.org](http://www.railombudsman.org)**

Telephone: 03300 940 362

Textphone: 03300 940 363  
(Monday to Friday 0900 to 1700)

Email: [info@railombudsman.org](mailto:info@railombudsman.org)

Twitter: @RailOmbudsman

Post: FREEPOST - RAIL OMBUDSMAN

## 9. Termination of Correspondence

**9.1** We believe that all correspondents and complainants have the right to be heard, understood and respected. We also believe that our staff share these rights.

**9.2** We aim in all our dealings to:

- You're unhappy with our final response to your complaint which will be contained in a letter or email (sometimes called a "deadlock letter"); or
- We haven't resolved your complaint within 40 working days of receiving it; and no more than 12 months have passed since we sent you our final response.

- Make it clear to everyone we deal with, both on initial contact and throughout our engagement, what Chiltern Railways can and cannot do to meet their concerns and expectations.
- Be open and not set expectations that we cannot meet.
- Deal fairly, honestly, consistently and appropriately with all correspondents and complainants, including those whose behaviour or actions we consider unacceptable.
- Provide a service that is accessible to all.
- Ensure that other people who use the services of Chiltern Railways and our staff do not suffer any disadvantages due to the unacceptable behaviour of others.

**9.3** Occasionally, the behaviours or actions of individuals that we have dealings with make it impossible for us to continue any constructive engagement. In this small number of cases, we must consider taking steps to protect our staff or to ensure that our ability to work effectively is not undermined. If we believe any correspondence to be vexatious or frivolous, we will close the complaint, providing details on how to escalate the complaint to the Rail Ombudsman (as set out above) and keep records of this action.

## 10. Monitoring, Auditing and Review

**10.1** Chiltern Railways will provide the following internal communications to monitor performance in relation to volumes of complaints, resolutions and necessary actions:

- A periodic report submitted to our Executive team, detailing complaint types and response times.
- A periodic report submitted to our Executive team, detailing complaint types and response times.

**10.2** All items of written correspondence received by the Customer Relations Department are logged onto the CMS, along with copies of all correspondence sent to the complainant.

**10.3** All telephone complaints are logged onto the CMS and where necessary a written response is formulated. Any such written responses are also logged onto the CMS.

## 11. Insurance Claim Policy and Procedure

**11.1** In the first instance, all claims will be directed to the Customer Relations Department.

**11.2** Claims in excess of £500 will be passed to the Health, Safety, Quality and Environment Department for onward transmission to our insurance company.

**11.3** Claims under £500 will be dealt with by the Customer Relations Department, in accordance with the agreed internal policy.

**11.4** All claims relating to personal injury will be passed to the Health, Safety, Quality and Environment Department for resolution.

**11.5** As per Condition 42 of the National Rail Conditions of Travel (available from [www.nationalrail.co.uk/static/documents/content/NRCOC.pdf](http://www.nationalrail.co.uk/static/documents/content/NRCOC.pdf)), we do not accept liability for any loss (including consequential loss) caused by the delay and/or cancellation of any train. However, we will consider additional claims in exceptional circumstances.

## 12. Data Retention and Subject Access Requests

Data from complaints including personal details are kept on record for up to 6 years following receipt. You may ask us to amend any incorrect data at any time. You may also ask us to confirm what personal data of yours we hold and we will confirm such information within 30 days of your request.

We will undergo regular cleansing of data to ensure we do not keep it for any longer than stated above. Whenever

personal data is destroyed, we keep a record of the number of files eradicated and the date of destruction.

Should you wish to make a subject access request, please do so in writing via our website:

**[www.chilternrailways.co.uk](http://www.chilternrailways.co.uk)**

or by emailing:

[data.protection@railombudsman.org](mailto:data.protection@railombudsman.org).

Alternatively, you can make a request by telephone by calling 03456 005 165, Option 3, then 4.

Should you wish for us to delete your personal data, please make contact in writing using the email address above.