

# Complaints Handling Procedure

**Chiltern Railways**

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# Chiltern Railways Complaints Handling Procedure Section 1 – 3.2

## 1. Introduction

The purpose of these guidelines is to define the process for handling customer comments/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 all complaints will be answered, fully investigated and used 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.”

Source: Office of Rail and Road (ORR) Guidance on Complaints Handling Procedure.

The objective of these guidelines is to ensure that the customer receives a prompt and reasonable response and where appropriate compensation which is fair and reasonable to all parties involved.

This document also recognises the importance of complaints as a valuable source of information and gives us the opportunity to identify areas of improvement, formulate appropriate courses of corrective action and arrange implementation and 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 005165 (Number accessible from mobiles at no additional cost) Customer Relations opening hours 08.30 – 17.30 Monday – Friday (Answer machine available outside of these hours)
Social Media	Twitter - @chilternrailway (Opening hours 07.30 – 19.30 Monday - Friday) Facebook – Chiltern Railways
Via a member of staff	Any Chiltern Railways employee will be able to assist should you need to complain or pass on comments. They will be able to use their discretion to solve the issue or direct you to Customer Relations for further assistance.

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

- Name, address, and contact telephone number
- Details of complaint including date, time and location if appropriate.
- Details of Journey if appropriate
- Copies of train tickets if appropriate

**3.2** All contact made via our Social Media Channels will be responded to and will be taken off line and passed onto 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
- The telephone number for the Customer Relations Department will be published in local telephone directories
- Notices posted in each carriage of every train
- Notices 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 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 may be obtained i.e. 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 of how to contact each train company if they have a complaint specific to that particular company. Comment forms for individual train companies will also be available upon request.

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**3.9** Chiltern Railways will provide a clear statement regarding procedures in relation to 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/about-us/passenger-charter](http://www.chilternrailways.co.uk/about-us/passenger-charter).

**3.10** 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 are able to act on behalf of a passenger with the passengers prior permission.

**3.11** A copy of this Complaints Handling Procedure will be available at all staffed stations and Customer Relations Department. A copy will also be available on our website.

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

**3.13** We can also supply customers with literature in a range of different formats on request, including large print and make provision to translate correspondence received in different languages. <https://www.chilternrailways.co.uk/disabled-traveller-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 process

### Accessible

- We will communicate with you in a clear manner at all times

### Simple and timely

- We will make it as easy as possible for you to contact us, and be up front and honest with you about our timescales for dealing with your correspondence

### Fair

- We will be objective and impartial at all times, using evidence and basing our response on the 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 providing a response to each customer's comments/complaint:

Written	90% responded to within 10 working days. 95% responded to within 20 working days.
Fax	90% responded to within 10 working days. 95% responded to within 20 working days.
Telephone	Where possible immediate resolution. 90% responded to within 10 working days. 95% responded to within 20 working days.

N.B the reference to working days stipulated above means Monday-Friday excluding public holidays.

5.2 Chiltern Railways will endeavour to meet the response timescales detailed in 5.1 at all times, 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, Transport Focus and London Travel Watch are made aware, and will continue to use all reasonable endeavours 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 the bounce back emails, our contact us page, holding letters will be sent and we will provide progress updates to complainants every 10 working days after the target response time has elapsed.

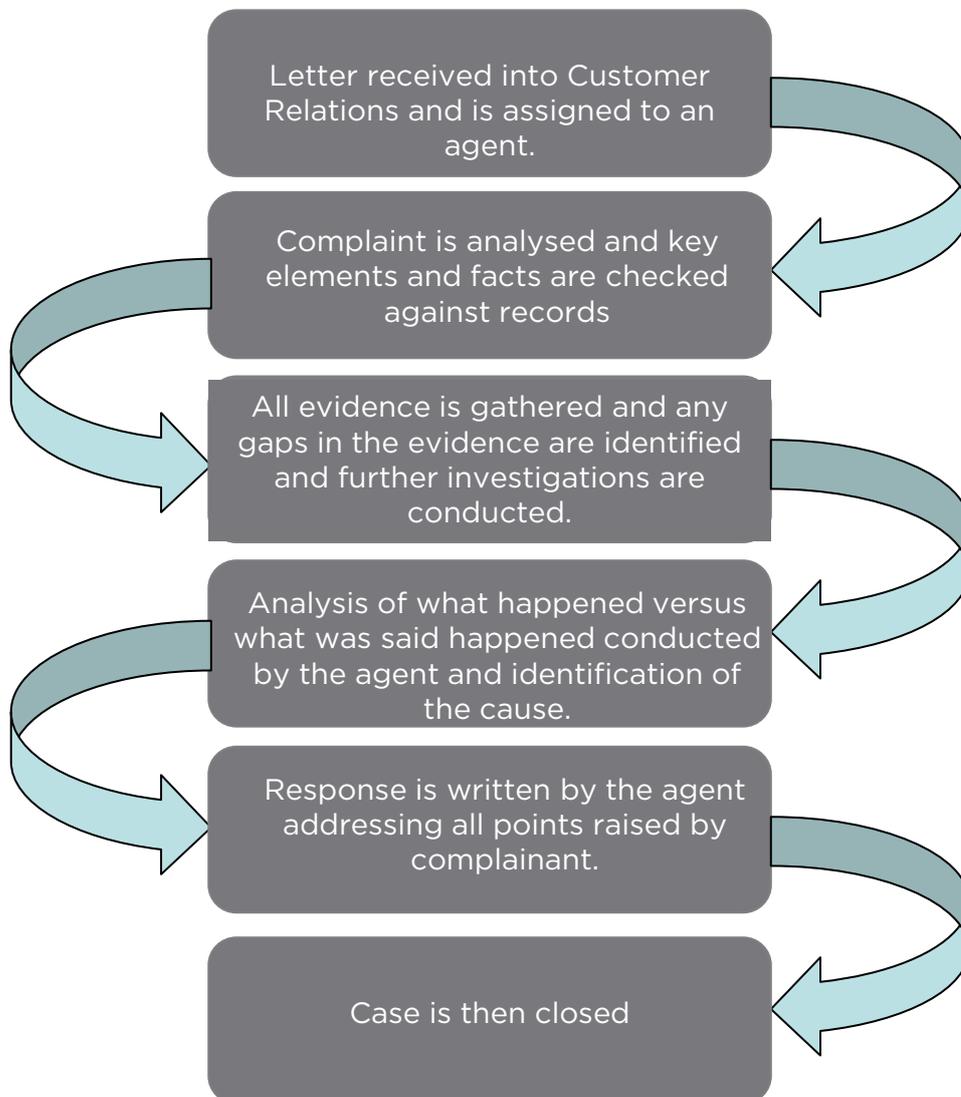
5.4 All responses are delivered in a tone that encompasses the Chiltern Values, which are *With Care, With Creativity, and With Each Other*. Responses will not include railway industry jargon, initials or acronyms.

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 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 that their complaint has been forwarded to.

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**5.6** In cases where a customer complaint is received involving both Chiltern Railways and other parties, Chiltern Railways will deal with the part of the complaint that is relevant to their service(s) as per Section 5 of this document. In respect of complaints concerning other parties, Chiltern Railways will make reasonable endeavour to address the issues with the co-operation of the other parties in a co-ordinated response where practical. Where a more detailed response is required the correspondence will be sent to the other relevant parties within reasonable timescales. Chiltern Railways will advise the customer that this has been done and give the correct address and contact number to which the letter has been sent in their response.

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



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## 6. Compensation

6.1 If you are delayed on a Chiltern Railway train journey and the cause of the delay was within the railway industry's control you can claim compensation. 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 Passenger Charter or under your other legal rights such as the Consumer Rights Act 2015. However, you cannot recover the same money twice. If you are making a claim using our compensation Scheme you must make a claim within 28 days of the intended date of travel.

6.2 In respect of delays Chiltern's compensation policy is as follows:

Length of Delay	How?	Method
60 minutes or more	You will receive the full cost of your single ticket or 50% of your return ticket	In the form the purchase was made, unless you expressly agree otherwise
30 minutes to 59 minutes	You will receive 50% of the cost of your single ticket, or 25% of your return	In the form the purchase was made, unless you expressly agree otherwise



For Season Ticket Holders the amount refunded will be calculated on the cost of an Anytime Fare for the journey you were making.

6.3 The levels of compensation described in this Complaints Handling Procedure set out our general policy regarding compensation claims made under our compensation scheme, but does 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 other types of losses not related to delay that have been caused by Chiltern Railways, further guidance is available in the National Rail Conditions of Travel website.

## 7. Dissatisfied Customer

If a customer is dissatisfied with the result of their complaint, it will be dealt with as per the process shown overleaf.

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## 7. Escalation process

**7.1** A complaint will be escalated to the 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 any follow up response. Any secondary response made by Chiltern Railways may however remain unchanged from the initial response, unless further information is discovered which change 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 on going 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, but just look at the evidence available. They will help us both to try to reach an agreement, but if this doesn't happen, they will make a decision based on the evidence they've received. If you agree with their decision, then we have to act on what they say.

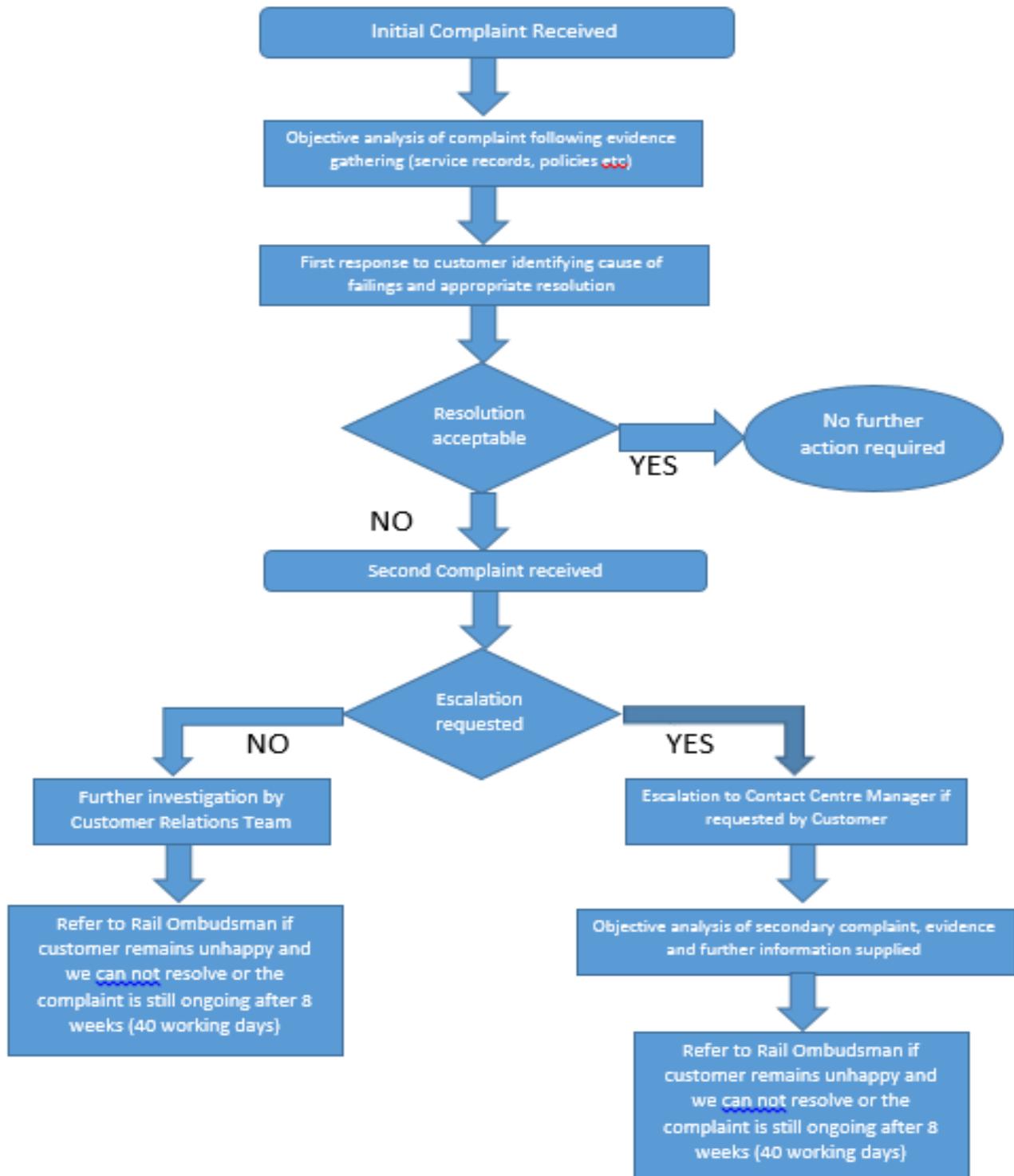
You can appeal to the Rail Ombudsman if:

- 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 won't be able to look into, for example if it's about 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, then 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

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## Complaint escalation process



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## 8. Contact Details for Rail Ombudsman

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

Telephone: 0330 094 0362

Textphone: 0330 094 0363

(Monday to Friday 09.00-17.00)

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 have the same rights.

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

- 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 raise expectations that we cannot meet
- Deal fairly, honestly, consistently and appropriately with all correspondents and complainants, even 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 disadvantage as a result of 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 have to consider taking steps to protect our staff or to ensure that our ability to work effectively is not undermined. Our Vexatious Correspondence Procedure describes the circumstances under which we will consider terminating communication with a complainant. This document is located on our website at

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

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## 10. Monitoring, auditing and review

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

- A monthly report submitted to the Customer Services Director detailing all of the above for the preceding period
- Periodic report submitted to the Department for Transport, ORR, Transport Focus and London TravelWatch regarding levels of complaint, types and speed of response

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

10.3 All telephone complaints are logged onto the contact management system and where necessary a written response is formulated. Any such written responses are also logged on to the contact management system.

## 11. Insurance claim policy and procedures

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.

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## 11. Data Retention and Subject Access Requests

Data from complaints including personal details are kept on record for 6 years following receipt. You may ask us to amend any incorrect data at any time. You may also ask us to confirm what data we hold of yours 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 any more than mentioned above. When any personal data is destroyed, we will keep a record of the number of files we have destroyed and the dates complete.

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 sending a letter to 'Freepost Chiltern Railways'. Alternatively, you can make a request by telephone by calling 03456 005165, Option 3, then 4.

Should you wish for us to delete your personal data, please do so in writing using the above details also.