

Merseyrail Complaints Handling Procedure

December 2018



CONTENTS

Foreword

- 1 Aims and Objectives**
- 2 Customer Relations Office**
- 3 Customer Awareness**
- 4 How to Complain**
- 5 What we will do**
- 6 If you are dissatisfied with our response**
- 7 Compensation**
- 8 Claims for Personal Injury**
- 9 Damage to Clothing or Property**
- 10 Complaints Monitoring**
- 11 Dealing with Frivolous or Vexatious Complaints**

Foreword

Merseyrail is a joint venture between Serco and Abellio and operates services on the Northern and Wirral lines of Merseyside's electrified network on behalf of Merseytravel.

The Merseyrail "Complaints Handling Procedure" is approved by the Office of Rail and Road (ORR) in accordance with the Complaints Handling Procedure Condition of the Merseyrail Passenger and Station Licenses. In accordance with the License Condition, Merseyrail consults with Transport Focus on the Procedure and any amendments subsequently introduced. The Procedure is also made available to Merseytravel and any party deemed appropriate by our Managing Director.

This document defines the procedure which Merseyrail expects all staff to adopt in dealing with customer complaints. A complaint is any expression of dissatisfaction by a customer or potential customer about service delivery or about company or industry policy.

Merseyrail believes that any feedback from the public should be seen as an incentive to maintain and when necessary, improve upon the services and products offered.

Merseyrail is committed to maintaining confidentiality for customers and members of staff. In order to retain a high level of confidentiality, all financial, personal and confidential information will not be made available to anyone outside of Merseyrail except with the written consent of the customer or where information needs to be passed to the ORR and Transport Focus.

Merseyrail's Privacy Policy is available on our website:

<http://www.merseyrail.org/privacy.aspx>

1. Aims and Objectives

- To investigate fully all complaints and comments from the general public in a sympathetic, fair and courteous manner.
- To provide a positive image of the company in providing a timely and efficient response to complaints received.
- To utilise the information gained from customer complaints in contributing to the effective management of the business. Trends are identified and escalated to the appropriate function and senior management for action.
- To provide a consistent approach towards customer complaints from Customer Relations staff.

2. Customer Relations Office

Any complaints or comments received (face to face at stations or on train, telephone, letters or online) are forwarded to the Customer Relations Office and further sorted into whether they refer to a train journey (punctuality, comfort); delays to services; facilities; attitude of staff etc.

All complaints received into the Customer Relations Office are entered onto its database.

These details will be used in the effective reporting of trends and statistics to contribute to the achievement of business objectives and enhance customer service.

The Customer Relations office can be contacted:



Tel: 0151 555 1111 / Fax: 0151 702 2413
0800 0227 347 (free phone number, when calling from the UK)



E-mail: comment@merseyrail.org



Website: www.merseyrail.org



Twitter: @merseyrail

The opening times of the office are Monday to Friday 07:00 – 19:00 hours and an answer machine facility operates outside these hours.

3. Customer Awareness

3.1 Posters

Posters are displayed at each Merseyrail station, which show the Merseyrail operator's map, indicating the area covered.

The poster will display the address, telephone number, facsimile number, e-mail address and Twitter account for the Merseyrail Customer Relations office, to which customers should address their comments:

Posters are displayed in each coach of every train, giving the addresses of both the Customer Relations Office and Transport Focus.

Customer Relations
Merseyrail
9th Floor, Rail House
Lord Nelson Street
Liverpool L1 1JF

Tel: 0151 555 1111 / Fax: 0151 702 2413
E-mail: comment@merseyrail.org
Website: www.merseyrail.org
Twitter @merseyrail

The poster will display the address of Transport Focus, which is a consumer body established by Parliament to protect the interests of rail users.

Transport Focus,
7th Floor, Piccadilly Gate,
Store Street,
Manchester
M1 2WD.

Telephone: 0300 123 2350

E-mail: advice@transportfocus.org.uk

Website: www.transportfocus.org.uk

Twitter @Transportfocus

At multi operator stations on our network, we will display relevant contact details for other train companies.

3.2 Passenger's Charter

The guidelines for customer complaints are outlined in the Merseyrail Passenger's Charter.

The Merseyrail Passenger's Charter is available to all members of the general public from all staffed Merseyrail stations, Merseytravel, local libraries, the Citizens Advice Bureaux, from the Customer Relations Office and on our website <http://www.merseyrail.org/about-merseyrail/passenger-charter.aspx>

3.3 Timetable Leaflets

Merseyrail Train Times leaflets are available at all of our staffed stations free of charge for the Northern and Wirral lines of the Merseyrail system.

Each leaflet provides an information page on which is displayed the address of the Merseyrail Customer Relations Office, along with the address of Merseytravel, Transport Focus and other relevant Train Operators.

4. How to Complain

4.1 What we need from you

All customers are welcome to speak to a member of staff at any Merseyrail station. Staff will endeavor to assist you when approached and will do their best to resolve any issue at the first point of contact. Should a member of staff be unable to resolve the issue to the customer's satisfaction staff may seek advice from a member of the Station Management team.

If you are contacting us to make a complaint the information we need from you is:

- Name
- Address
- Nature of complaint
- Dates and times

If you are completing a complaints form this is pre populated to capture all the information required.

When further investigation of a matter is required, staff may assist a customer completing a Merseyrail Form which is forwarded to the Customer Relations team to fully investigate and respond.

Forms are available at all staffed Merseyrail stations, from the Customer Relations Office or online. The form enables you to express your comments and advises that the form may be handed in to any Merseyrail staffed station or sent directly to the Customer Relations Office.

Customers who wish to make a comment will be advised that they may, if they wish, write in to the Customer Relations Office without using a Form.

Staff who are employed to work at any station operated by Merseyrail will be advised of these procedures through training and briefing. Any forms received in booking offices are forwarded to the Customer Relations Office on your behalf on a daily basis.

Respecting Equality and Diversity

Merseyrail is committed to working to the standards established by the Equality Act 2010 and will ensure that the special needs of all individuals are taken into account when dealing with comments and enquiries.

We provide a variety of information and assistance for people with sensory impairments. If customers need information in audio, large print or braille formats we will produce these on demand. We also have an assistance line for Textphone and Minicom users.

With your permission we are happy to liaise with carers, guardians and support workers on your behalf.

4.2 Personal visit

You may call in person at the Customer Relations Office between the hours of 09:00 and 17:00 and a member of Customer Relations team will take details of your comments.

When further investigation is required, a Customer Relations team member will advise you that they will contact you as soon as investigations are complete and provide a response within 20 working days.

4.3 By Telephone

A direct line telephone number is provided on 0151 555 1111, for customers who may wish to make their comment by telephone.

This number will be advertised at all Merseyrail stations, in the Merseyrail Passenger's Charter, on our website and in other relevant publicity material, including the local telephone directory.

An answerphone service is provided on the above number, which may be used to leave a message out of normal office hours.

Assistance Lines

Telephone 0800 0227 347 (Free of Charge)
Or 0151 555 1111

Textphone and Minicom users please prefix 18001 prior to dialing.

4.4 Online and Social Media

Complaints can be made by contacting us via:



Email: comment@merseyrail.org



Merseyrail website: <http://www.merseyrail.org/get-in-contact/complaints-form.aspx>



Tweet us @merseyrail

4.5 Other Operators

In dealing with complaints about other train operators' services, Merseyrail agrees to adhere to the principles contained within the ORR's guidance on Complaint Handling Procedures.

When a customer's complaint involves another train operating company we will aim to resolve the complaint and coordinate a single response on behalf of all companies involved.

If we are unable to do so we will forward your complaint to the relevant company for them to reply to. The correspondence will be forwarded to the relevant company within 5 working days of receipt and an acknowledgement sent to the customer. This acknowledgment will include the name and address of the Customer Relations department to which their correspondence has been sent. Such complaints will not be included in Merseyrail complaints statistics.

The Customer Relations team will then reply to you about the complaint relating to Merseyrail services making it clear that these operators will respond separately to the complaints about their own services. Merseyrail will record relevant details of the complaint about our services.

4.6 Using a Third Party

We will accept complaints made on your behalf by a third party intermediary meeting the same standards and timelines as if you had contacted us directly. We will converse directly with them if it is clear that you wish us to do so and this will remain in place throughout whilst we handle your complaint.

With your permission we are happy to liaise with carers, guardians and support workers on your behalf.

5. What we will do

All correspondence will be acknowledged within 5 working days with 95% of complete responses provided within 20 working days. An automatic acknowledgement response with a reference number is generated to comments received electronically, if you write in we will send you a letter with a reference number to say we have received your complaint. Where detailed investigations are needed, the customer will be kept informed until a full response is provided.

If there is a sudden or unexpected increase in complaints the above time frames may need to be expanded. Customers will be advised when we acknowledge the complaint. We will inform ORR and Transport Focus when this occurs.

Process we follow to ensure a full and fair investigation

Analysis of complaint: identification of the key elements of the complaint and any facts to be checked

Evidence gathering: service records, relevant policies and procedures and the identification of any gaps in evidence

Corroboration and analysis: to include objective analysis of all evidence and potential interviewing of involved staff

Application to the complaint: determine what did happen versus what should have happened?

The reasons: identification of the cause of the failings

The response: the development of a recommended response / resolution

6. If you are dissatisfied with our response

We will aim to address all the issues raised in customers' complaints. Should you be dissatisfied with our initial response this will be escalated to the appropriate senior manager for action.

If you are still not satisfied with Merseyrail's response, on receipt of the second substantive response, you can contact the Rail Ombudsman.

If you are 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/passengers*]. 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 – the independent consumer watchdog for the rail industry. They will independently review your complaint and where appropriate, follow things up on your behalf.

How do I contact the Ombudsman?

By Post: FREEPOST – RAIL OMBUDSMAN

Telephone: 0330 094 0362 (Monday to Friday 08:00 - 20:00, Saturday and Bank Holidays 08:00 - 13:00 excluding Christmas Day)

Website: (including online chat): www.railombudsman.org

Textphone: 0330 094 0363

Email: info@railombudsman.org

Twitter: @RailOmbudsman

View Frequently Asked Questions (FAQs) page and privacy policy online www.railombudsman.org

7. Compensation

Compensation will be awarded as outlined in the Merseyrail Passenger's Charter although Merseyrail may offer compensation above and beyond the level stated in the Charter. The Charter is available on the Merseyrail website

<http://www.merseyrail.org/about-merseyrail/passenger-charter> or at any staffed ticket office.

Should a complaint result in the right to a refund or compensation we will always highlight this with you, even if a claim was not included in the initial contact from the customer.

Train service cancellation and delays compensation

Following a service disruption that triggers the right to claim a refund or compensation we will broadcast on Twitter and our information screens the details for claiming a refund or compensation. This is a link to the website and relevant claim forms.

If your complaint is regarding a delayed service we will request the details of the delay. We will then assess if a refund or compensation is appropriate and deal with complaint accordingly.

Refunds and compensation are processed differently dependent on ticket type.

Season tickets – compensation is paid to you if we fall below our performance targets. These targets are advertised on a monthly basis and details of how to claim are available on our website and at our stations.

Daily Tickets – If you experience a cancelled service or delays resulting in 30 minutes or more will be offered compensation as a result of the service disruption.

Should you decide not to travel due to the disrupted service, the ticket can be returned to the ticket office where it was bought and a full refund will be given. This refunded via your original method of payment. Ticket office staff will also assist in partial refunds. Any compensation requests are processed by our Customer Relations team; forms are available at all staffed stations and on the website.

Compensation will be paid out via the original method of payment or by travel voucher if you prefer. We will contact you for BACS transfer details if you originally paid for your ticket by cash or card.

8. Claims for Personal Injury

If a claim relates to personal injury, the Customer Relations team will promptly forward the claim details to the Compliance Manager for consideration following investigation by the Safety Manager.

9. Damage to Clothing or Property

You will be requested to submit the damaged article for assessment in terms of replacement costs or repair.

Relevant information including reports and control logs of the alleged incident are collated internally by the Customer Relations staff. From these reports, responsibility for the incident is determined.

Customer Relations staff will refer any proposed settlement of such cases to the Compliance Manager for consideration.

Merseyrail will ensure that all claims are handled in accordance with the Claims Allocation and Handling Agreement (CAHA).

10. Complaints Monitoring

The Merseyrail Customer Relations team will submit a four-weekly report to the ORR as part of the core data requirements. This report will be in the format required by the ORR and will detail the number of comments and complaints that we receive from all sources (telephone, personal visit, comment form, letter, email and Twitter).

A management commentary highlighting key trends and explaining reasons for changes in the number of complaints will be supplied. This report will be made available to the Merseyrail management team who will, when appropriate, review the results and implement any actions deemed necessary to address concerns raised by them

The Customer Relations Manager will report four-weekly to the Customer Services Director highlighting action required and identifying trends, which will be briefed to staff by an appropriate manager.

A review of the Merseyrail Customer Complaints Procedure will take place every year and will be initiated by the Customer Relations Manager.

11. Dealing with Frivolous or Vexatious Complaints

Frivolous complaints are those which are not serious or sensible in content; vexatious complaints are those which are instituted without sufficient grounds and are particularly aimed at causing annoyance or embarrassment to Merseyrail or Merseyrail staff.

If the Customer Services Director decides that a complaint is frivolous or vexatious, or when a customer is behaving or speaking abusively, a decision may be taken to terminate correspondence. Such cases should be referred to the Customer Relations Manager or another senior member of the management team who has had no previous dealings with the individual.

Merseyrail will consult with Transport Focus regarding a complaint that that is frivolous or vexatious. If confirmed it will be treated as such.

If it is determined that a complaint is frivolous or vexatious, the Customer Relations Manager will write to the complainant to explain that their complaint has been classed as frivolous or vexatious and to tell them the reasons for this decision. The customer will also be advised that they can take their complaint to Transport Focus and that all future complaints from them will be handled like any other complaint and determined on its own merits.

Complaints of this nature are recorded and reported to the ORR as part of their period core data standards.

