
Secretariat memorandum

Author : Adam Kirkup

Agenda item 16
CWC 33
Drafted 23.10.07

London Overground Rail Operations Ltd (LOROL) complaints handling procedure

1 Purpose of report

- 1.1 To note the Casework Manager's consultation response and subsequent changes to LOROL's complaints handling procedure.

2 Information

- 2.1 London Overground Railway Operations Ltd (LOROL) would be taking over what is currently Silverlink Metro on 11 November 2007, to form the first stage of the new London Overground network.
- 2.2 One of the pre-conditions to the granting of their Passenger and Station Licences was that they set out a complaints handling procedure which must be accepted by the Department for Transport (DfT). Therefore, LOROL wrote to London TravelWatch on 29 September 2007, seeking comments on their draft complaints handling procedure before it was submitted to the DfT, or a reply confirming that London TravelWatch was happy with the procedure.
- 2.3 On 19 October the Casework Manager responded to LOROL's consultation. Following the Casework Manager's response, LOROL have replied to say that all but one of the suggested amendments had been implemented. A copy of LOROL's submission to the DfT is attached as Appendix A, and highlights the amendments made by the Casework Manager
- 2.4 The only comment that was not picked up was a point regarding the role of on-train staff in handing out and receiving back customer feedback forms. At this stage LOROL were not entirely confident about the reliability of a train crew based channel for these forms, particularly as Conductors have little chance to circulate through the passenger saloon due to the short journey-time durations between stations. In due course, LOROL hope to change this situation but they did not want to make specific commitments that they might not be able to reliably deliver.

3 Equalities and inclusion implications

- 3.1 Not applicable – report is for information only.

4 Legal powers

- 4.1 Section 248 of the Greater London Authority Act 1999 places upon London TravelWatch (as the London Transport Users Committee) a duty to consider - and where it appears to the Committee to be desirable, to make recommendations with respect to - any matter affecting the functions of the Greater London Authority or Transport for London which relate to transport (other than of freight).

5 Financial implications

- 5.1 There are no direct financial implications for London TravelWatch arising from this report.

6 Recommendation

- 6.1 That the report is received for information.

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Complaints Handling Procedure

November 2007

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Complaints Handling Procedure

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Introduction

London Overground Rail Operations Limited (LOROL) has been appointed by Transport for London to operate the London Rail Concession as part of the London Overground network.

We aim to deliver the best possible service to our customers by providing a safe, reliable, welcoming and value for money service all day, every day. We see effective and responsive arrangements for handling customer comments and complaints as an important element of our service, enabling us to build trust with passengers, address grievances and adjust how we operate to best meet expectations.

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This Complaints Handling Procedure has been prepared to ensure there is a clear understanding amongst passengers, staff and stakeholders regarding the arrangements for making a complaint and the process that LOROL will follow in responding to complaints. This policy has been prepared to meet the Complaints Handling Procedure condition of the LOROL Passenger and Stations Licence.

The term 'Complaint' in this document is used to cover all substantive forms of customer feedback including;

- letters and e-mails
- telephone calls
- face to face feedback given to staff and at 'meet the manager' sessions

In the context of this procedure the term 'complaint' extends to include customer observations and compliments as well complaints, grievances and claims.

LOROL's Customer Services Team

A Customer Services Team is available from 09.00 to 17.00 Monday to Friday. From Spring 2008 a new Customer Services Office will operate from LOROL's Headquarters. This office will be located adjacent to an integrated control centre which will enable the Customer Services Team members to gain a direct appreciation of the performance of the railway and the quality of service being provided to passengers.

The existing local call rate contact number (0845 601 4867) will be retained in order to avoid any confusion about how to contact us amongst those who might hold publicity previously issued by Silverlink. This number will be widely publicised on all London Overground information material produced by LOROL.

Calls received outside of the opening hours of the Customer Services Office will be routed to an answer machine which will state the opening hours of the office, provide details of our e-mail address and offer the caller the opportunity to leave a short message.

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Customer Awareness

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Maps and Posters

All London Overground timetable posters, which will be prominently displayed at stations served by the London Overground, will include the details of how to contact us, including the address and telephone number of our Customer Services Team i.e.

London Overground Rail Operations
Customer Services Team
125 Finchley Road
London
NW3 6HY

Tel: 0845 601 4867
Email: info@lorol.co.uk*

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The contact details for London TravelWatch will also be included on these posters i.e.

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London TravelWatch
6 Middle Street
London
EC1A 7JA

Tel: 020 7505 9000
Email: enquiries@londontravelwatch.org.uk*
www.londontravelwatch.org.uk*

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Likewise, on-train posters in every carriage of every train will be displayed providing the contact details for both the LOROL Customer Services Team and London TravelWatch.

Timetable Booklets

London Overground timetable booklets are available free of charge from all stations where London Overground services call. This publication includes an information page giving the address of the LOROL Customer Services Team and London TravelWatch.

Passengers Charter

A summary of the arrangements for customer complaints is included in the London Overground Passengers Charter, a copy of which may be obtained from all London Overground stations or by contacting the Customer Services Team.

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How to give feedback or make a complaint

Customers can choose from a number of different communication channels when making a complaint or comment;

- By writing to our Customer Services Team
- By completing a customer comment form (available from all stations and on-train conductors) and handing it in at any London Overground station. Stations will forward any comment forms received to the Customer Services Team on a daily basis
- By telephone on 0845 601 4867 (09.00 to 17.00). An answer phone is available outside of office hours.
- By e-mail at info@lorol.co.uk
- By fax at [0207 483 0801](tel:02074830801)

We recognise that some customers with physical or mental impairments, or whose first language is not English, may have difficulties in communicating with us, and we will handle these situations with sensitivity, providing our responses in the appropriate format when required.

If customers do not wish to complete any paperwork, our staff will be happy to receive feedback directly. In these circumstances they will report the nature and subject of the comment or complaint to their line manager who will pass the details on to the Customer Services Manager. Wherever possible, passengers will be encouraged to complete a comment form so that there is an accurate record of the complaint.

Investigation

Before responding to complaints and comments, a full and fair investigation of the issues raised will be carried out. The facts of an individual case will be explored with the staff and line managers involved, taking care to avoid bias towards anyone involved in the complaint. In certain circumstances, a manager or supervisor not directly involved in the delivery of service that led to the complaint, will be asked to undertake an independent investigation.

In responding to complaints, care will be taken to answer all the points raised by the customer.

In certain circumstances correspondence with a complainant may be terminated where we believe the correspondence to be frivolous or vexatious. In reaching such a decision we will follow the principles set out in the Appendix to this Complaints Handling Procedure

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Response Time Commitments

We aim to acknowledge 95% of correspondence received, including e-mails, within 1 working day and to resolve any issues raised within 7 working days.

Where detailed investigations are needed, the customer will be kept informed until a full response is provided. If we are unable to close the matter out within our 7 working days target, an interim response will be sent and a full response provided within 20 working days.

Should a customer be dissatisfied with our response, they have the option of raising their complaint with London TravelWatch. The Head of Service Standards, as a direct report to the Customer Service Director, will provide the point of contact with London TravelWatch for any appeal cases. This position will ensure that a comprehensive response to points raised by London TravelWatch is provided within 10 working days.

Redress

Compensation will be awarded as outlined in the London Overground Passengers Charter.

Guidelines for compensation are that either a cheque, National Rail Voucher or Oyster credit will be issued as relevant to the type of ticket held and the nature of the complaint.

We will consider appropriate goodwill gestures on an ex-gratia basis.

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Other Operators

When a customer complaint refers to services or stations not operated by LOROL, an initial response will be sent to the customer informing them that their complaint has been forwarded to the relevant company for them to reply. This process is in line with Annexe B of the rail industry Complaints Handling Procedure guidelines. The correspondence will then be forwarded within two working days of receipt. Where the complaint involves LOROL and another operator, LOROL will liaise with the other operator to co-ordinate a response. LOROL will ensure that a lead operator is always identified for any such complaint. At multi-operator stations, posters will display the different contact points for complaints about different services.

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Claims for Losses, Property Damage or Personal Injury

If a complaint or comment involves a claim for losses, property damage or personal injury this should be made in writing by letter or e-mail to the Customer Services Team. Claims should be supported by evidence of the loss, damage or injury.

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If a complaint or comment involves a claim for personal injury, the Customer Services Team will acknowledge the letter / e-mail and promptly forward the claim details to LOROL's Head of Safety for investigation. The Head of Safety will be

responsible for providing a final response to the customer when any investigation is complete.

The rail industry has an arrangement called the Claims Allocation and Handling Agreement (CAHA) to which all companies must belong if they wish to run train services. Under the agreement, compensation should be dealt with by the companies for their own customers. If some or all responsibility is later allocated to another party, the insurance companies balance the payments behind the scenes.

Confidentiality

All customer complaints and comments will be treated in a manner that ensures confidentiality is protected.

Personal details or details about complaints and comments will not be divulged to third parties unless written consent is obtained.

We may however divulge some or all complaint details to a third party without consent where it is necessary for us to fulfil our own obligations (this will include to bodies such as other train operating companies, Passenger Focus, London TravelWatch and insurers) or to the DfT, Transport for London or any such body in carrying out their statutory duties, such as the Police.

Complaints Monitoring

The LOROL Customer Services Manager will prepare a four weekly report providing an analysis of the number of comments and complaints and the subject areas covered. A copy of this report will be sent to London Travelwatch, Transport for London and Department of Transport (if required). A management commentary highlighting key trends and explaining reasons for changes in the numbers of complaints will be supplied.

Reviewing this Complaints Procedure

A review of the LOROL Complaints Handling Procedure will be undertaken every year, led by the Customer Services Director. Transport for London and London TravelWatch will be consulted during any review of this procedure.

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Appendix

Principles for Dealing with 'Frivolous and Vexatious' Complaints

The Collins English Dictionary defines frivolous as:

1. Not serious or sensible in content, attitude or behaviour; silly
2. Unworthy of serious or sensible treatment; unimportant.'

Vexatious is defined as:

1. Vexing or tending to vex
2. Vexed
3. Law. (of legal action or proceeding) instituted without sufficient grounds, esp. so as to cause annoyance or embarrassment to the defendant.'

These grounds, or seriously abusive behaviour or language, will be the only criteria for terminating correspondence with a customer.

A senior member of the management team will determine whether a complaint is frivolous or vexatious and no member of staff who has had a previous involvement with a complaint shall be involved in deciding whether the complaint is frivolous or vexatious. London TravelWatch will be consulted as part of this process.

If a complaint is determined to be frivolous or vexatious, the Customer Service Manager will write to the complainant explaining that the complaint is considered frivolous and vexatious, the reasons behind that decision, that the customer has the right to take their complaint to London TravelWatch and that future complaints will be dealt with as any other complaint.

Any future complaints from a customer who had previously made a complaint that was determined to be frivolous or vexatious will be considered on their own merits.