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Rail Markets & Economics



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21 November 2019

Hugh Clancy
Director
First Trenitalia West Coast Railway

(By email)

Dear Hugh,

Approval of First Trenitalia West Coast Railway (trading as Avanti West Coast) Complaints Handling Procedure (Condition 6 of the Station Licence and GB Statement of National Regulatory Conditions: Passenger)

Thank you for submitting your draft Complaints Handling Procedure (CHP) for approval.

I confirm that we have reviewed your CHP against the 2015 "Guidance on complaints handling procedures for licence holders" (the guidance). As part of our review process we have also sought views on the draft CHP from Transport Focus and London TravelWatch, and had several exchanges with you to clarify its commitments. We can now confirm that your CHP meets the requirements of Condition 6 of your station licence and GB Statement of National Regulatory Conditions: Passenger (SNRP).

A copy of the approved CHP is attached to this letter, and will be published on our website along with a copy of this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'M. Clements', written in a cursive style.

Marcus Clements

Complaints Handling Procedure

**How to make a complaint and
what you can expect from us**

DECEMBER 2019

AVANTI
WEST COAST



Welcome to Avanti West Coast

We want every experience you have with us to be an easy one. So we work hard to give you a great service every time. But we know sometimes things go wrong. If they do, we want to hear about it so we can make it right, and stop it happening again.

If you do want to complain, we make it as easy as possible for you. This document explains our approach to handling complaints and how to make a complaint if you're unhappy with any aspect of our service. You'll find out what to expect when you get in touch with us, and what we do with the information you give us.

The National Rail Conditions of Travel also detail your entitlements if the service is not to the standard you expect (these are available from any staffed station, our Customer Resolution Team or online at [avantiwestcoast.co.uk](https://www.avantiwestcoast.co.uk)).

At Avanti West Coast, we use the Office of Rail and Road's (ORR) definition of a complaint as:

'Any expression of dissatisfaction by a customer, or potential customer, about service delivery or company or industry policy'

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DESTINATION

▷ London





Complaints Handling Values

Feedback Mechanism and Response

We want to hear from you. Ways of getting in contact with Avanti West Coast are detailed throughout this document and we always welcome suggestions for how we can improve.

People, Processes and Structure

Our structure and internal reporting processes allow for escalation of concerns and a business-wide understanding of areas to improve, as well as a shared vision of our goal to deliver positive customer journeys.

Organisational Culture

We believe in an open and honest relationship with our customers, acknowledging the vital impact our staff have on your experience and empowering them to make decisions and actively resolve issues in their remit.



How to make a complaint

If you're unhappy with any aspect of our service, there are several ways you can tell us.

Talk to our staff at the station or on the train

We train our staff to handle complaints fairly and efficiently, and to solve any problems there and then, if they can, we provide a number of tools to enable this to happen. Some of our staff do speak different languages and we will do our best to help customers where practical.

If we are unable to resolve your complaint on the spot, or it involves a member of Avanti West Coast staff and will require investigation into what happened, we will either provide one of our complaint forms or the contact details for our Customer Resolution Team. Forms are available at all Avanti West Coast staffed stations and Customer Resolution Team contact information is available from all Avanti West Coast staff.



Making a complaint to the Customer Relations Team

Our Customer Relations Team is there to help you and there are several ways to get in touch:

Email: customer.resolutions@avantiwestcoast.co.uk

Live chat: avantiwestcoast.co.uk/livechat

Web: avantiwestcoast.co.uk/complaints

Call: [03455280253](tel:03455280253)

Write to:

Avanti West Coast
FREEPOST
Victoria Square House
81 New Street
Birmingham
B2 4BA

Textphone: [08000158124](tel:08000158124)

Calls to 03 numbers are charged at the same rate as 01 and 02 numbers from landlines and mobiles and do not incur premium rate call charges.



Opening times: 0830 to 1800 Mondays to Fridays, and 0900 to 1600 on Saturdays. Sunday closed. (closed 25/26 December).

When you call us outside the above times, an automated message will confirm that the department is closed and advise of the above opening times.

The team will undertake a full and fair investigation into your complaint before responding to you. If you have provided a contact phone number, they may call you to resolve your complaint over the phone or to obtain further information if needed to investigate your complaint fully. **We will aim to do this within 14 days.**

Get in touch with our Social Media Team

We understand the need to get your questions answered as soon as possible, and to enable you to get in touch with us, when best suits you, our Social Media Team are online 24 hours a day. They'll be happy to help with any questions, issues or feedback you have. If your question or issue is complex we may not be able to answer through social media so will ask you to contact our Customer Resolution Team. If you'd like to make an official complaint, this cannot be done through social media, and you must contact our Customer Resolution Team. If you contact us on social media with an issue that we believe should be investigated as an official complaint, we will tell you how you can do this.

Contact the Social Media Team via:

 [@avantiwestcoast](https://twitter.com/avantiwestcoast)

 [@avantiwestcoast](https://www.facebook.com/avantiwestcoast)

We won't discuss complaints about our staff on social media. Any post that identifies a member of staff will be removed and the complaint acknowledged and passed to our Customer Resolution Team to investigate and respond. We will let you know that your complaint has been passed on via the communications method used in the original contact.

Meet our managers

We want to get to know our customers so we can shape a service that best matches your needs. We hold regular sessions where you can talk to our senior managers and directors about our service, have the opportunity to ask questions and raise issues or complaints in person. Details of these will be promoted on our social media feeds and website or you can obtain them by asking our Customer Resolution Team.

In 2020, we will launch a web-based customer forum accessible 24 hours a day to enable customers to have their say at a time that suits them on a range of topics including, but not limited to, service quality, pricing, website or app feedback. Responses will be gathered and used in our business planning process. This forum is not monitored in real time, so where you require an immediate response, please use one of our other contact channels to reach a staff member. In addition to this, we will also be facilitating Regional Customer Panels and Regional Accessible Station Panels which will meet twice a year to enable us to better understand the needs and opinions of customers, including those who may have differing requirements when travelling with us. Information on how to join these forums is available through our Customer Resolution Team or on our website at avantiwestcoast.co.uk.

Making a complaint - what to include

The more information you give us about your complaint, the sooner we can get back to you with a full reply. **For example, please include things like:**

- The time and date of your journey;
- A detailed description of the series of events that took place;
- The stations you travelled to and from;
- Copies of your tickets and any other documents that might help us identify trains or staff involved, this is not essential but helpful where possible;
- Any additional information that you feel will help us investigate the complaint.

Helping you make a complaint

You can ask a friend, family member, guardian, support worker or carer to make a complaint on your behalf although we will need your permission for us to deal with another person before we discuss the complaint. This does not apply if you are the parent or guardian making a complaint on behalf of a child aged 16 or under.

We will accept complaints made by an intermediary organisation on your behalf. To this, we will require explicit consent from you that the third party has the right to act on your behalf.

Consent for this can be made by email or letter.

When a third party is involved

If your complaint involves another rail company or Network Rail, we'll send your complaint to them and ask them to get in touch and we will let you know when we've done that.

Claims for delays to our trains will be dealt with by us regardless of who was responsible for the delay. If your complaint involves a journey that features more than one rail company, we will liaise with the other companies involved to ensure you receive a co-ordinated response.

We work with a number of third parties to deliver different aspects of our service safely, for instance cleaning providers. If your complaint involves one of those parties, you won't need to contact them directly. We will deal with your complaint as the contractor works on our behalf.

Unpaid Fares Notice and Ticket Sales

If your complaint relates to the issuing of a Unpaid Fares Notice that has been filed and you want to make an appeal you should do so within 21 days of receiving the notice.

To ensure fairness, appeals are not handled by Avanti West Coast and are administered by an independent appeals body. The independent appeals process is impartial. Appeals must be made in writing to:

Appeals Service,
PO BOX 267,
Petersfield,
GU32 9FH.
appealservice.co.uk

Full details of our Revenue Protection Policy can be viewed on our website
avantiwestcoast.co.uk/delayrepay.

Complaints about ticket sales will be dealt with if you bought your ticket from a Avanti West Coast sales point (booking office, ticket machine, staff member, website or app). Complaints about tickets bought from third party retailers or other train companies should be directed to them.

Claiming for losses, personal injury or property damage

If you need to claim for losses, property damage or personal injury, please write to or email our Customer Resolution Team. Please also make our staff aware straight away of any injury or damage that you or your property sustain whilst travelling on our trains or through our stations. Letting our staff know if there has been an issue will allow them to make areas safe and prevent anyone else suffering injury or damage. Where possible, we will aim to resolve your complaint personally but there are times when we may need to pass your details on to our claim handlers. If this is required, we will ensure that this is done and inform you of the status of your case.

All train operators sign up to approved arrangements governing the allocation amongst operators of liabilities and the handling of claims. Further information on the industry Claims Allocation and Handling Agreement (CAHA) can be found on the ORR website (orr.gov.uk).





What you can expect from us

Giving you the best service we can

We want you to have a great service every time but we know sometimes things go wrong and if they do, we want to hear from you about it.

We're always looking for ways to improve our service, and working with our people and processes to make them a reality.

We will:

- produce a twice-yearly Customer Report which will be available on our website or through our Customer Relations Team;
- Launch a scheme called Back on Track at the start of 2020. This gives our staff the ability to help put things right on the spot, removing the need for you to get in touch after your journey.

Handling complaints fairly and efficiently

Our complaint handling process not only makes it easy for you to tell us you're unhappy but helps us to put things right for you as quickly and fairly as we can. **Here's how:**

- We write everything clearly and in plain English so there's no room for confusion;
- We investigate every complaint fully and fairly. What we do will vary based on the complaint, and we commit to using available tools such as internal records, industry data, CCTV and, where required, staff interviews;

- We keep your details confidential. Full details of our privacy policy are available on our website avantiwestcoast.co.uk;
- We address every point you raise with us, so you get a full reply;
- We do everything we can to put things right for you first time;
- We monitor and audit our responses to make sure they're of a high standard;
- Our managers get regular updates about the complaints, so we can make changes where we need to;
- We review our Complaints Handling Procedure every year to make sure it's effective;
- Dealing with volumes of complaints – we are aware that at times there will be increases in customer contacts and we work to ensure there are always enough staff to respond to your complaint within our timescales.

As a guide, the following shows the steps that we take when investigating a complaint:

- **Analyse your complaint:** to make sure we identify all the elements in it and any facts to be checked;
- **Evidence gathering:** we will look at service records, and compare what you experienced with what our policies promise you should experience - if we need more information from you or others, we will ask for it;
- **Corroboration and analysis:** an objective review of all the evidence including talking to any staff involved;
- **Summarise:** compare what happened to you with what should have happened;
- **Understand the reasons why it happened:** so that we can explain it to you;
- **Respond:** Send you a response which as far as possible resolves your complaint in full.

Complaints Service Standards

When you contact our Customer Resolution Team we'll always acknowledge receipt of your complaint, you will be given a reference for your complaint.

If speaking to our people or contacting our Social Media Team, we will try and resolve your complaint on the spot. However, if you contact our Customer Resolution Team or have your complaint referred to them, you can usually expect to hear back within 10 working days. As per our regulatory requirement, our commitment is to make a full response to 95% of all complaints within 20 working days.

If the number of complaints we get goes up unexpectedly and we are taking longer than expected to respond, we'll let you know and will keep you updated. We will ensure that our website advises of this, we will also inform relevant industry partners including Transport Focus and London TravelWatch.

We will report on the average time it takes us to reply and include this in our Customer Report, as well as regularly reporting our performance to the ORR, we report, where required, to Transport Focus and London TravelWatch.

We will ensure that all outstanding concerns have been addressed when corresponding with a customer at the point of resolution. Where a complaint relates to a delay, we will ensure that we provide details of compensation arrangements and how to claim.

DESTINATION

▫ Lake District



Staff complaints

If your complaint relates to a member of Avanti West Coast staff, we will confirm where we have undertaken an internal investigation.

However we are not able to inform you of any specific action that has been taken as a result of that investigation due to data protection and issues of staff confidentiality. We do commit to fully investigating feedback that we receive and acting as appropriate.

We'll pay compensation when it's due

We will offer you compensation if appropriate, in line with our Passenger's Charter, and the National Rail Conditions of Travel. We will take account of other relevant factors when deciding on levels of compensation and use our discretion where appropriate. If you are entitled to compensation, or we deem it appropriate to offer you discretionary compensation, we will confirm this in our response to you.

Regardless of the reason for the delay, we will offer the following compensation if you are delayed, even by as little as 15 minutes:

Length of delay (minutes)	Amount of compensation		
	Single ticket	Return ticket	Season ticket
15-29	25%	12.5%	25%
30-59	50%	25%	50%
60-119	100%	50%	100%
120 or more	100%	100%	100%
	Of the cost of the single ticket	Of the cost of the return ticket	Of the value of the delayed journey

Compensation is for the relevant leg of your journey, for example, not the full return price.

The length of delay will be based on the published timetable, which can include any emergency timetable that we implement. Where an emergency timetable is operating, this will be publicised in advance.

For season tickets, compensation must be calculated using the proportional daily single ticket price of the ticket held. The calculation of the cost of the single ticket for this purpose must be no less generous than the following:

Type of season ticket	Value of the delayed journey
Weekly	1/10 x total ticket price
Monthly	1/40 x total ticket price
Quarterly	1/120 x total ticket price
Annual	1/464 x total ticket price

If you have a combination of tickets for your journey, we will compensate you for your whole journey.

If part of your journey was with another train company, we will compensate you if we caused the delay. If we did not, we will ask the other train company to contact you. We will always let you know when we have done this.

If we issue a 'do not travel' warning and you follow our advice and do not travel, you can apply for compensation by using our delay repay process which is outlined on the website avantiwestcoast.co.uk.

If you complain to us for any reason and we identify that you are eligible for compensation through our Delay Repay scheme we will process a claim even if you did not contact us for this reason. This depends on us having the correct information and proof of purchase, so we will contact you to advise you what further information/proof we need from you if we do not already have it.

Note: You must not seek to recover the same money twice, for example, both under our 'Delay Repay' claims process and the Consumer Rights Act 2015. However, claiming compensation using our 'Delay Repay' claims process does not affect any additional statutory rights you may have, for example under the Consumer Rights Act 2015 where we as a company are at fault.

Complaint Management

We reserve the right to terminate any correspondence or communication that could be construed as abusive or bullying in content, voluminous, frivolous or vexatious, or which specifically diverts resources and affects the Customer Resolution area of our business. This is a decision that we take very seriously and prior to taking it, your case will be reviewed by a senior manager and we will always consult with Transport Focus or London TravelWatch before making any such decision. We will advise you in writing of the reasons behind the decision. This will not affect your right to appeal to the Rail Ombudsman and we will provide their details at the time the decision is made.

Training

All customer facing Avanti West Coast staff receive training in how to identify and resolve customer complaints. Looking for an ability and empathy to do so is part of our recruitment process and is embedded into the customer focused culture of the business. We believe that, where possible, a customer query is best dealt with in real time. To this effect, we are committed to empowering our staff to best handle customer queries.

We commit to ensuring all Avanti West Coast staff, including any staff working on our behalf, are aware of our Complaints Handling Procedure and know how to direct complaints to the Customer Resolution Team. Our Social Media Team are trained to acknowledge when a customer alludes to wishing to make a complaint and have a full understanding of where to direct the customer.

Our Customer Resolution Team receives extensive training regarding how to identify a complaint, how to ensure each issue raised with us within that complaint is accurately recorded on our Customer Relationship Management system and how to resolve the complaint to the customer's satisfaction.

We commit to ensuring all Avanti West Coast staff, including any staff working on our behalf, are aware of our Complaints Handling Procedure and know how to direct complaints to the Customer Relations Team. Our Social Media Team are trained to acknowledge when a customer alludes to wishing to make a complaint and have a full understanding of where to direct the customer.

Our Customer Relations Team receives extensive training regarding how to identify a complaint, how to ensure each issue raised with us within that complaint is accurately recorded on our Customer Relationship Management system and how to resolve the complaint to the customer's satisfaction.

Quality assurance

We regularly monitor our Complaints Handling Process to make sure it is as effective as possible and adheres to the standards and commitments we have made to our customers.

All calls to our Customer Relations Team are recorded and monitored to make sure we are dealing with complaints in the best way possible. The Customer Experience team reviews samples of both calls and correspondence sent to our Customer Relations Team and uses this information to improve the quality and standard of how we manage and resolve complaints.

Each Customer Support advisor has their work monitored against a Quality Assurance framework to make sure our high standards are maintained. When appropriate additional training and coaching is provided.



DESTINATION

↳ Glasgow



Taking your complaint further

We'll always try to resolve your complaint promptly and fully, but if you are unhappy with our response you can contact us again and a manager will review the complaint and our response.

This process will be carried out as quickly as possible. You will usually be contacted by one of our Customer Resolution Team members (in writing) to share the findings of our further investigation. Escalating your complaint with us does not prevent you from also involving relevant passenger bodies or Rail Ombudsman as detailed below.

Railway Ombudsman

Please give us the opportunity to try to resolve your complaint. If you're unhappy with the response you receive, and you are a consumer (i.e. your travel was not wholly or mainly within the course of your business) you have the right to appeal to the Rail Ombudsman. The Rail Ombudsman is there to help resolve on going disputes between us both. 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 or industry policy. 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 and 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.

Rail Ombudsman contact details:

Website: (including online chat)

railombudsman.org

Telephone: 0330 094 0362

Textphone: 0330 094 0363

Email: info@railombudsman.org

Twitter: [@RailOmbudsman](https://twitter.com/RailOmbudsman)

Post: FREEPOST-RAIL OMBUDSMAN

The Ombudsman Contact Centre Team are available:

Monday to Friday 0800 – 2000

Saturday and Bank Holidays 0800 – 1300
(excluding Christmas Day)

Sunday - closed



Your privacy and the Data Protection Act

Keeping your details secure is a priority for us and we will follow the procedures set out in our Privacy Policy (avantiwestcoast.co.uk).

- We comply with the Data Protection Act 2018 and are committed to protecting any personal data we hold on our systems.
- When you contact us, we store your personal details on our dedicated and secure systems.
- We train all our staff in how to follow the Data Protection Act 2018 and other relevant data protection law, and we review our processes regularly to make sure they're in line with legislation.
- All correspondence sent to our Customer Resolution Team is stored electronically on our Customer Relationship Management system (CRM). Any paper mail is scanned onto the CRM and the original held in storage for 6 months before being securely destroyed.
- The ORR and RDG might use your information for research purposes – for example, they may contact you to find out more about why you complained and how your complaint was handled – but you can opt out of this if you want to.

- Where it is necessary for us to meet our obligations, or to ensure that your complaint is addressed by the correct organisation, we may be required to disclose your details to a third party. This may include providing information to a different Train Operating Company, Transport Focus, London TravelWatch, the Rail Ombudsman, The Department for Transport, the ORR, or insurers. We will also provide information where we are obliged to assist other bodies (such as the Police) carry out their statutory duties.

If we don't hear from you for 3 years, we will securely and permanently delete any personal details in relation to your complaint we have for you on our Customer Relationship Management system.



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How we use complaints data

Improving our service

We understand that the needs of the customers and communities which we serve change from time to time. We want to ensure that we respond to that change, to exceed your expectations and our own high standards.

When we receive your views, we record the good and bad elements and share these accordingly. Whilst we are aware of the need to improve and to use customer feedback to develop the service provided, it is also right to recognise our colleagues who are performing to a high standard. We use such positive feedback to share best practice and improve the services we offer.

The reports help us work out where we can improve, and what changes we need to make to give our customers a great service. That's why we're always happy to hear from you. **We will:**

- Use the complaint data to identify the root causes of complaints;
- Take action to reduce the chance of a similar issue happening again;
- Regularly review our performance when dealing with complaints to improve how we deal with them.

Governance, Policy and Leadership

Resolving complaints and complaints handling are the responsibility of our Customer Experience Director. Information about our overall complaint levels and topics are fed monthly into our Insight Into Action Board. Topics, insights and trends analysis of complaints will identify areas for improvement and these are used to inform future business strategy.

Recording complaints

All correspondence sent to our Customer Resolution Team is stored electronically on our Customer Relationship Management system (CRM). This data is collated centrally and used to generate a number of daily, weekly and monthly reports that are passed to the managers responsible for that area of the business, so trends can be identified and problems resolved. Each time a customer contacts us is important and we value feedback on the service we have provided, complaints feed into an internal continuous improvement process which seeks to identify the underlying causes of customer dissatisfaction.

We will also provide data to the ORR for regulatory monitoring purposes. This includes the number of comments and complaints we receive and how quickly we deal with them.

Record keeping

All complaints are recorded along with general information that helps us identify areas of improvement. **They include:**

- Journey information such as where the journey began and ended.
- The date of travel.
- The class of travel.
- The type of ticket held.
- The date of the journey.
- The name of the adviser who dealt with the complaint.
- The date we received the complaint, and the date we responded.



DESTINATION
▷ Edinburgh

Get in touch

We want to ensure that it is easy as possible to get in touch, we have a wide range of contact options:

Email: avantiwestcoast.co.uk/contact



[@avantiwestcoast](https://twitter.com/avantiwestcoast)



[@avantiwestcoast](https://www.facebook.com/avantiwestcoast)

Live chat: avantiwestcoast.co.uk/livechat

Web: avantiwestcoast.co.uk

Call: 0345 528 0253

Write to:

Avanti West Coast
FREEPOST
Victoria Square House
81 New Street
Birmingham
B2 4BA


Textphone: 08000158124

Accessible versions of this document


If you would like a copy of this booklet in an accessible format (Braille, Large Print, audio or easy read) please speak to our Customer Resolution Team – their contact details are on the last page of this document. Copies will be provided within seven working days.

This document is available online, both in English and Welsh, at avantiwestcoast.co.uk.


Visit us at

 avantiwestcoast.co.uk

Customer Service Centre

 0345 528 0253

Twitter

 [@avantiwestcoast](https://twitter.com/avantiwestcoast)

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