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04 May 2017

Peter Strachan
Managing Director
Caledonian Sleeper

Dear Peter

Approval of Serco Caledonian Sleepers Limited Complaints Handling Procedure (Condition 6 of the GB Statement of National Regulatory Provisions: Passenger)

Thank you for submitting your draft Complaints Handling Procedure (CHP) for approval. A copy of your revised CHP is attached to this letter, and will be published on our website along with a copy of this letter.

I confirm that we have reviewed your CHP against the 2015 “*Guidance on complaints handling procedures for licence holders*” (the guidance), and can confirm that your revised CHP meets the requirements of Condition 6 of your GB Statement of National Regulatory Conditions: Passenger (SNRP). We also sought views on your draft CHP from Transport Focus and London TravelWatch.

We welcome the following, which we believe are likely to be positive for passengers:

- Your aim to provide a full reply to complaints within five working days; and
- The Crystal Mark accreditation you have achieved for your CHP document to ensure it is as clear and understandable as possible for passengers.

You have confirmed that where a complaint has not been resolved and your internal procedures have been exhausted, you will provide information on Alternative Dispute Resolution (ADR) to the complainant, in accordance with the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015. This information will usually be highlighted to complainants in the second substantive response, when details of Transport Focus and London TravelWatch are also given. We understand that you will identify an approved ADR provider (in this case Ombudsman Services, trading as the Consumer Ombudsman) but that you do not plan to make use of this provider and instead complainants will be advised to contact the existing passenger bodies. Where a complainant does contact Ombudsman Services you have an arrangement in place whereby they will be referred to the relevant passenger body.

This approach appears to discharge the information requirements in the Regulations, however, we will be engaging with ATOC and the Department for Transport as to the application of the ADR regulations more generally and this may result in the need to revisit policies in due course.

Yours sincerely,



Annette Egginton



CALEDONIAN
SLEEPER

Customer Complaints Handling Procedure

31st March 2016 to 30th March 2018



[sleeperscot](http://sleeperscot.com)



Dear Guest

I would like to extend you the warmest of Scottish welcomes on behalf of Caledonian Sleeper. We are a Scottish-based train-operating company run by Serco on behalf of Transport Scotland.

Every evening, except for Saturday, we run two trains in each direction between Scotland and England, serving Inverness, Aberdeen, Fort William, Glasgow, Edinburgh, London Euston, and 42 intermediate stations including Dundee and Perth as well as Carlisle, Preston, Crewe and Watford Junction in England, providing a crucial link between the highlands and lowlands of Scotland and London.

Listening to you is an essential part of who we are. Your feedback helps us to improve our services for the future and make amends for any problems you may have experienced when travelling with us. If you're not happy in any way, we'll take your comments or complaints seriously and do everything we can to make things right.

This booklet explains our customer complaints procedure, how we deal with complaints and comments, and the service you can expect from us. This includes:

- how to make a complaint and whom to contact;
- how to get in touch with us;
- how we will respond to your complaint;
- how we will deal with your complaint fairly;
- the types of compensation you can expect; and
- how we review and monitor the complaints we receive.

We define a complaint as 'any expression of dissatisfaction by our guests or potential guests about service delivery by Serco Caledonian Sleeper and/or about company or industry policy'. We aim to sort out all complaints, quickly and effectively, without the need to involve any other organisation. However, we've included information on independent organisations you can contact if you are unhappy with our response.

I personally review our customer complaints procedure every year and as part of the review process we consult Transport Focus, Transport Scotland, London TravelWatch and the Office of Rail and Road before making any changes to the procedure.

Peter Strachan

Managing Director, Caledonian Sleeper

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1 **Our customer complaints procedure**

We aim to give our customers the best possible service. However, we understand that occasionally things do go wrong, and when this happens it's important to us that we do everything we can to put things right. If you are not happy with any part of our service, please let us know. We'll fully investigate your complaint and work with you to sort out the issue. Whoever the complaint concerns – whether it is ourselves, our contractors or our suppliers – we will do our best to understand and explain what went wrong and why.

2 What this procedure covers

This complaints procedure describes how to let us know if you think that you have received unsatisfactory service from us or how to let us know if you are dissatisfied with any part of our company policy or procedure.

Before we introduced this complaints procedure, we took the views of Transport Focus and London TravelWatch into account and gained approval for the procedure from the Office of Rail and Road. We recognise that time doesn't stand still and that over time you may come to expect more from us and our procedures. Each year we will take into account and monitor the views you have expressed over the previous months and review our procedures in line with sections 7 & 8 below.

3 What this procedure aims to do

Our customer complaints procedure is designed to make sure we deal with your complaint efficiently, fairly and effectively. We have made every effort to make sure our procedure is:

- Easy** – to find and understand
- Simple** – to use
- Efficient** – backed up by the resources that mean we can respond to you promptly
- Fair** – we will investigate your complaint fully and provide a fair response
- Respectful** – of your point of view and your confidentiality
- Effective** – deals with all of the points you raise so that both you and we are satisfied
- Monitored** – regularly audited for effectiveness and satisfaction, and part of the process we use to make sure we continue to improve our services
- Consistent** – with regulatory requirements, best practice and our Guest Charter

4 How to contact us

In person.

If you can, the first thing you should do is speak to one of our staff on board or call our guest ambassadors – they have the authority and the training to try to sort out your complaint immediately. If our on board staff cannot deal with your complaint to your satisfaction they will refer the matter to our guest ambassadors who will contact you for more information if necessary. Our Guest Services Centre contact details are below.

Phone: **0330 060 0500**

Calls to this number cost no more than national rate calls to 01 or 02 numbers.

Our Guest Service Centre Ambassadors will be on hand to help you between:

- **Monday to Friday:** 08.30 to 20.30
- **Saturday:** 08.30 to 15.30
- **Sunday:** 15.30 to 20.30

These hours may vary slightly over Christmas and New Year – please check our website **sleeper.scot** for opening times. Our Guest Services Centre is not open on Christmas Day or Boxing Day.

Email: **enquiry@sleeper.scot**

Post: **1 Union Street, Inverness, IV1 1PP**

We also monitor our Twitter and Facebook pages on social media. However, if you wish to register a complaint formally, we will ask you to contact us either per telephone or by using the contact & complaint form found in the “contact us” section of our website **sleeper.scot**.

4.1 Meet the Manager

We also run 'Meet the Manager' sessions, at stations and on board our trains every three months. For more information, please see our website sleeper.scot.

In writing

We provide an email complaint and comment form which is available from our website and our Guest Services Centre. Also, our on-board staff can arrange to have one sent to you direct from the train.

We would prefer you to send us your complaint by email (please include your phone number). This way we can investigate your complaint and get back to you as quickly as possible – saving us both time. We will confirm that we have received your email and, if necessary, ring you to get more details. Please tell us if there is a particular time you would like us to call you.

Alternatively, you can contact our Guest Services Centre by phone or by post. When you make a complaint, our guest ambassadors will enter your contact details and the details of the complaint onto our customer relations management system. This lets them see all the information on your case and pass it to the appropriate members of staff to investigate quickly. They can also track how the investigation is progressing.

If you have given us a phone number, we may try to deal with your complaint over the phone. If you agree at the end of the call that we have dealt with the issue, we will not contact you again. When submitting your complaint, please try to provide as much information as possible to help us investigate it fully. If you are able to provide your booking reference with us this will help us to identify factors that may have contributed to the complaint you are making.

4.2 **Guests with specific needs**

We understand that some people who have specific access requirements, or whose first language is not English, may have difficulties communicating with us. All documents that can be downloaded from our website are in Word format and our Disabled People's Protection Policy and Guest Charter are available in alternative formats such as Braille and audio. We handle these cases sensitively and respond in an appropriate format. We make allowances for customers who have sight or hearing difficulties and a Text Relay service is available when contacting our Guest Services Centre.

If you require assistance to contact us, we are happy to deal with your carer, support worker or guardian on your behalf, as long as they have your express permission for to do so.

4.3 **Complaints about another train operator**

If you complain to us about another train operator we will do the following.

- Acknowledge your complaint within 24 hours and forward it to the relevant operator's Customer Relations Department within five working days. In our acknowledgement we will give you the full address and contact details of the other operator.
- Keep a record of the correspondence. The other train operator will respond to your complaint in line with its own complaints procedure.

4.4 Complaints involving more than one operator

If you make a complaint to us involving more than one operator, depending on how complicated the complaint is we will either:

- deal with our part of the complaint and tell you the parts the other operator will deal with; or
- organise a single response on behalf of all the operators involved.

We will co-operate with transport providers outside the railway industry if a complaint involves us and another transport operator.

5 Response times

When you complain to a member of our staff, on the phone or in person, we will try to deal with the complaint immediately.

If this is not possible, we aim to respond fully to all complaints within five working days. If you haven't received a full response within this time, we will update you on the progress of your case and continue to update you every five days until we can respond fully.

In addition to this, we have a commitment to respond to 95% of complaints within 20 working days.

Response times during busy periods

As far as reasonable, we will try to make sure we meet our response times even when there is an unexpected increase in the number of complaints. However, if there are exceptional circumstances, such as a period of major disruption, we may have to increase these response times. If this happens we will tell you when we reply to your email, as well as informing the Office of Rail and Road, and both Transport Focus and London TravelWatch. We will also put details on our website and put recorded messages on our Guest Services Centre phone lines. We will do our very best to reply to you as soon as we can.

Referring your complaint to Transport Focus or London TravelWatch

If you have taken your complaint to either Transport Focus or London TravelWatch and they ask us for information, we will give them a full response within 10 working days. Please note that once Transport Focus or London TravelWatch are investigating your case, our Guest Experience Delivery Manager will respond to them rather than to you.

6 A full and fair investigation

We promise we will investigate all complaints made to us fully and fairly. We will follow this customer complaints procedure and make every effort to deal with all the issues raised in your complaint. If your complaint is not upheld we will explain our actions or policies which have led to the complaint and explain how you can contact independent organisations if you are unhappy with our response.

When we investigate a complaint we will always check the facts, take steps to make sure we are impartial, and get reports from all appropriate staff and suppliers who may have been involved.

When we respond to your complaint we will confirm the outcome of our internal investigation and any action we have taken to prevent the complaint happening again. If the complaint is upheld, we will offer you compensation.

If the investigations involve our staff, we will tell you when these are necessary and tell you the role of the person carrying out the investigation. However, under the Data Protection Act, we are not able to tell you about any action taken against an individual member of staff.

Our staff are trained in complaints handling techniques, with periodic refresher training. This training covers customer service, as well as complaint investigation and resolution skills.

6.1 Compensation

Where we recognise that our service has not met the high quality we set for ourselves, we will apologise and offer you compensation if it is appropriate. The amount we offer you will be in line with the National Rail Conditions of Carriage,

our guest charter and our compensation policy

Compensation will usually be offered as:

- Caledonian Sleeper vouchers, if your complaint is about facilities not being available on board (for example, there were no catering facilities available on your journey);
- National Rail Travel Vouchers, to be used for payment or part payment of a future journey;
- a complimentary ticket (or tickets) for a future journey; or
- a refund or partial refund using the same payment method you used to buy the original ticket.

Our guest charter explains our compensation policy, including the levels of compensation you can expect if services are disrupted. You can get our guest charter from our Guest Services Centre, staffed stations, on board our trains and from our website, **sleeper.scot**.

6.2 **Items not covered by this document**

Our complaints procedure does not cover the following areas.

- Delays and cancellations to train services. Please see our guest charter for how to claim compensation if your train is delayed.
- Personal injury claims, which are dealt with on a case-by-case basis.
- Complaints which are unreasonably made or which you continue with after we have offered a reasonable solution (as judged by Transport Focus, or London TravelWatch for journeys between Watford Junction and London).

- Any complaint which is associated with abusive or violent behaviour. Although your complaint may still be valid, we will treat it differently if it is about abusive or violent behaviour. We have a duty to protect our employees and in these circumstances this will be our first priority.

If you believe we have not met our customer service standards, we understand that you may feel upset. While we respect the rights of our customers to express their views, we will not tolerate aggressive, threatening or abusive behaviour of any kind.

We have the right to end any correspondence or communication that we believe to be 'frivolous, vexatious or abusive' in line with the guidelines issued by the Office of Rail and Road.

We will consult the Office of Rail and Road, Transport Focus and London TravelWatch before we end any correspondence and tell you in writing the reasons behind our decision.

6.3 Confidentiality

We will not pass your personal details, or details about your complaint, to anyone else unless we have your permission in writing, or it is necessary to help the police, Members of Parliament, the Department for Transport, other train operators, Transport Focus or London TravelWatch when they are investigating cases or crimes.

All Caledonian Sleeper staff will adhere to the Data Protection Act at all times. A copy of our personal data protection policy is available from our Guest Services Centre.

7 Monitoring and reporting

7.1 Monitoring

We actively monitor our customer complaints procedure to make sure it is effective.

- We monitor your phone calls, letters and emails to make sure we handle your complaint in a friendly, appropriate and professional manner.
- We sample and review responses we have made to you by phone and in writing to make sure we deal with complaints promptly and effectively.
- We enter details of complaints onto our customer relations management system, allowing us to analyse the number and type of complaints received and our response times. We keep this information for a period of three years to ensure that we manage our relationship with you.
- We invite feedback on complaints through our regular guest survey.

7.2 Management reports

Our monitoring processes help us assess whether we are handling complaints efficiently and make sure you are satisfied with our responses. Your feedback helps us identify where we can make things better.

To make sure our managers encourage improvement, we:

- send managers and directors feedback from our guests every four weeks (our managers will use this information to identify and act upon areas for improvement);

- provide a summary of comments and complaints to the Caledonian Sleeper board every four weeks; and
- monitor response times to make sure we have the correct resources in place to deal with complaints. This will also contribute to our Guest Excellence programme (our feedback programme on customer satisfaction that helps drive improvement).
- In addition, we submit statistics of our complaint handling to the Office of Rail and Road on a periodic basis for research and monitoring purposes.

7.3 Claims for losses, property damage or personal injury

If you want to make a claim against us for losses, property damage or personal injury, please write to our Guest Services Centre by letter or email (see Contact information on section 4). They will either deal with your claim or pass it to our insurance and claims handlers.

The rail industry has an arrangement called the Claims Allocation and Handling Agreement (CAHA). We, like all train-operating companies, must keep to the CAHA and we will deal with your claims in line with this agreement. Under the CAHA, each train-operating company must have arrangements in place for compensating their own customers.

If another organisation is held to be fully or partly responsible, the insurance companies balance the payments without involving you. We have internal processes for handling claims by third parties. We regularly review these arrangements with our insurers and claims handlers.

8 **Reviewing our procedure**

We formally review this procedure every year, and any changes are made in consultation with the Office of Rail and Road, Transport Focus and London TravelWatch.

In addition, we review our training procedures to ensure that we are using best practice, and are continually improving the quality and content of the training.

9 Contact information

We make it as easy as possible for you to contact us if you need to comment or make a complaint.

Please contact our **Guest Services Centre:**
1 Union Street
Inverness
IV1 1PP

Website: **sleeper.scot**
Email: **enquiry@sleeper.scot**
Phone: **0330 060 0500**
Textphone: **01463231951**

Our Guest Service Centre Ambassadors will be on hand to help you between:

- **Monday to Friday:** 08.30 to 20.30
- **Saturday:** 08.30 to 15.30
- **Sunday:** 15.30 to 20.30

These hours may vary slightly over Christmas and New Year. Our Guest Services Centre is closed on Christmas Day and Boxing Day.

Copies of our Customer Complaints Handling Procedure

You can find copies of our Customer Complaints Handling Procedure on board, at all staffed stations we serve and from our website **sleeper.scot**. It is also available from our Guest Services Centre in alternative formats (Braille and audio).

10 Passenger Watchdogs

If you are not satisfied with our response to your claim or complaint, you can appeal to one of two independent watchdogs - Transport Focus or for journeys between Watford Junction and London Euston, London TravelWatch.

You can contact them at:

Transport Focus

www.transportfocus.org.uk

Email: advice@passengerfocus.org.uk

Phone: 0300 123 2350

Twitter: @TransportFocus

Freepost RTEH-XAGE-BYKZ

PO Box 5594

Southend on Sea

SS1 9PZ

London TravelWatch

169 Union Street

London

SE1 0LL

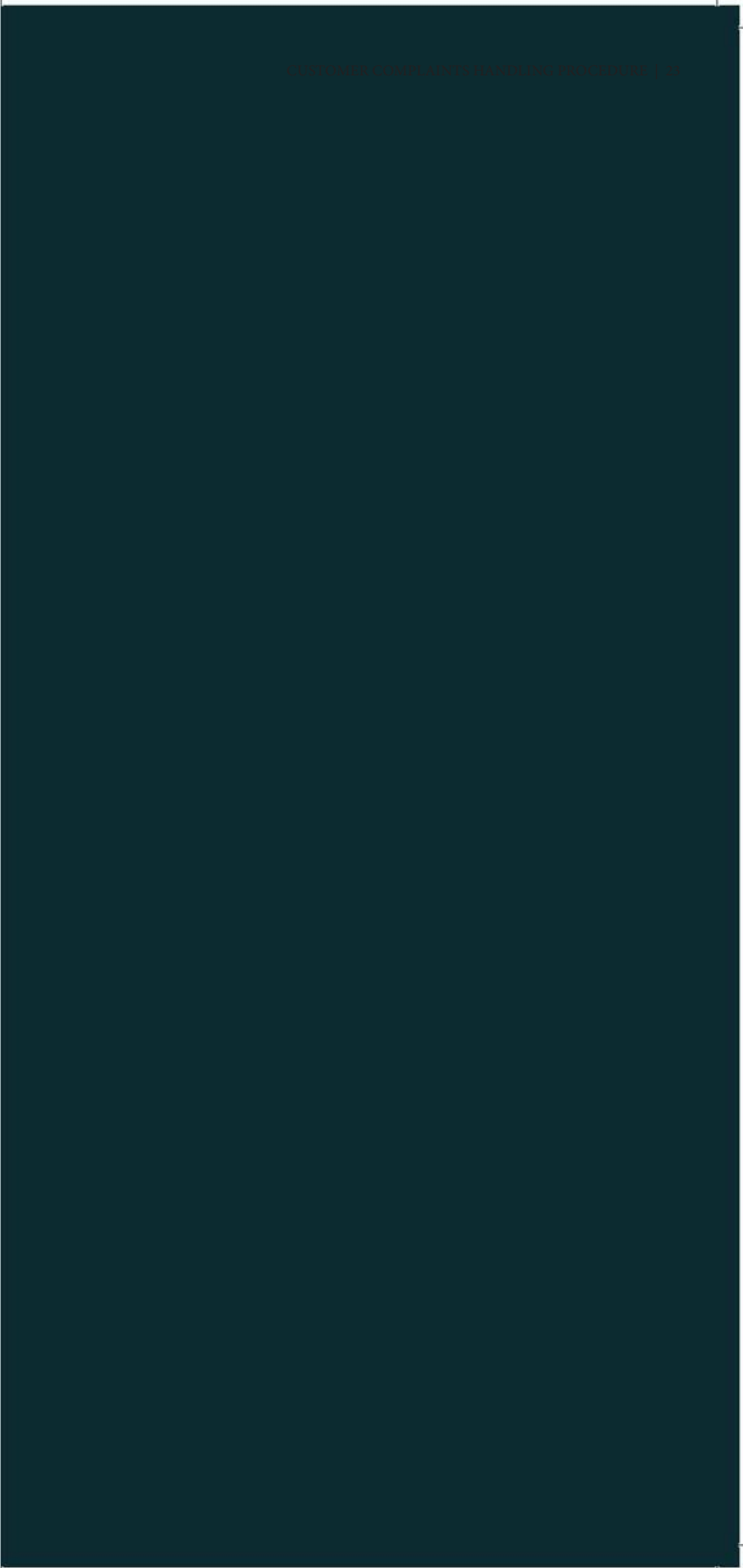
Web: www.londontravelwatch.org.uk

Email: enquiries@londontravelwatch.org.uk

Phone: 020 3176 2999

Caledonian Sleeper are fully committed to complying with the passenger bodies' appeals protocol. Any appeals received by Caledonian Sleeper are fully investigated and we provide a response to the passenger body in question to close the appeal raised.

We are required to advise you of an Alternative Dispute Resolution (ADR) organisation for your complaint if we are unable to resolve your concerns. In such cases this would be The Consumer Ombudsman (www.consumer-ombudsman.org). However, as Transport Focus/LondonTravelwatch already provide a mediation service for the rail industry, we will not make use of or participate in the ADR services offered by the Consumer Ombudsman. Correspondence to the Consumer Ombudsman will be forwarded to Transport Focus/LondonTravelwatch as appropriate.



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