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18 March 2016

Carla Lane-Smith
Head of Service Support
Merseyrail

Dear Carla

Approval of Merseyrail Electrics 2002 Ltd Complaints Handling Procedure (Condition 6 of the Station Licence and Passenger Train Licence)

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 station licence and passenger train licence. We also sought views on your draft CHP from Transport Focus.

We welcome the following, which we believe will bring positive benefits for passengers:

- Your social media policy, which we consider to be concise, to cover all relevant points, and to be clear, drafted in plain English and free of jargon;
- Your commitment that the Head of Service Support will randomly select and audit 10% of all complaints in each period to ensure that they have been allocated to the correct category, dealt with correctly and any compensation given is fair and appropriate; and
- Your commitment to make sure all customer relations staff take a consistent approach towards complaints. Transport Focus also made reference to this as a good practice when providing comments on your draft CHP.

We would also like to thank you for being one of the first operators to submit their revised CHP using the updated guidance and for your constructive engagement in this new process.

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 are also given. We understand that you will identify an approved ADR provider (in this case Ombudsman Services) 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. You will continue to be engaged with developing thinking through your representation at ATOC.

In the case of Merseyrail the relevant passenger body is Transport Focus. In line with the requirements of the guidance, licence holders must establish an appeals handling protocol where the passenger bodies require this. We understand that these protocols are not yet finalised and are currently in the process of being agreed. Once these protocols are agreed, we expect licence holders to abide by them in their handling of appeals.

Yours sincerely,



Annette Egginton



Merseyrail Complaints Handling Procedure

March 2016



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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 and 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. If you are not satisfied with the response from Customer Relations, you may also write to Transport Focus at the freepost address below:

RTEH-XAGE-BYKZ
Transport Focus
PO Box 5594
Southend on Sea
SS1 9PZ

E-mail: info@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 dialling

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.

5. What we will do

All correspondence will be acknowledged within 5 working days and a full response provided within 20 working days. An automatic response is generated to comments received by e-mail. Where detailed investigations are needed, the customer will be kept informed until a full response is provided. The intermediate response will be provided within seven working days.

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 Transport Focus.

Transport Focus is an independent body which will review your complaint in order to seek a satisfactory resolution. When Transport Focus makes an appeal on behalf of a customer, the complaint will be reviewed by the Customer Relations Manager and we will aim to send a response to Transport Focus within ten days.

Transport Focus details are:

Freepost
RTEH-XAGE-BYKZ
Transport Focus
PO Box 5594
Southend on Sea
SS1 9PZ

E-mail: info@transportfocus.org.uk

Please note that in addition to this, the Alternative Dispute Resolution for consumer disputes (Competent Authorities and information) regulations 2015 requires us to advise customers of an 'Alternative Dispute Resolution' organisation for your complaint.

In our case this is The Consumer Ombudsman (www.consumer-ombudsman.org). However, as Transport Focus already provides a mediation service for customers in the rail industry, we do not make use of the ADR process, and any correspondence to the Consumer Ombudsman will be redirected to Transport Focus.

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.

Guidelines for compensation are that either a National Rail Travel Voucher, a Passenger Transport Executive Travel Voucher will be issued or a bank transfer completed, as relevant to the type of ticket held and the nature of the complaint.

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.



Merseyrail Complaints Handling Procedure

Process Document

March 2016



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1. STAFF AWARENESS AND MONITORING

Merseyrail consider any expression of dissatisfaction by a customer or potential customer about service delivery or about company or industry policy as a complaint. Therefore any comment that requires an action will be dealt with as a complaint.

Any feedback from the public is also seen as an incentive to maintain and when necessary improve on the service and products offered.

All complaints handling staff are trained in how to deal with complaints and the process involved to resolve complaints. The Complaints Handling Procedure (CHP) is available to all customer facing staff and the CHP itself is reviewed annually and if updates are required then staff are briefed accordingly via team briefs.

No third party or out sourced staff deal with Merseyrail Complaints, however third parties are briefed to point customers to staff that can assist.

Line managers monitor staff progress through the Personal Development Review process on an annual basis and via individual 1-2-1 sessions. Any training issues identified are forwarded to our on-site retail trainer for action as soon as is practicable. In addition, if at any time a line manager identifies a training need, a request is submitted to retail training for 1-2-1 coaching.

Those customers that comment on twitter are asked to formalise the complaint by sending an email to the Customer Relations Department. The Customer Relations Team will then take the complaint through the complaints system.

2. TRAINING, DEVELOPMENT and RECRUITMENT

Recruitment

Customer Service staff are selected from a robust process that identifies the skills required to offer a high level of customer experience. The selection process looks for behaviours that meet our business values:

- Genuine
- Professional
- Inclusive
- Pro-Active

Interview questions are constructed to identify these behaviours. In addition, there are scenario based questions where the candidate has to demonstrate skills in:

- Customer Awareness
- Complaints Handling
- Dealing with difficult situations
- First point resolution

Training and Development

All training relating to Customer Service and Complaints Handling is included as a mandatory requirement on the Competency Matrix for any roles based within Stations and Customer Relations. This training is undertaken in classroom based sessions as part of induction and then refreshed on a two year basis.

Customer Service staff undertake the following training sessions:

- World Host Customer Service - An introduction to the Principles of Customer Service
- Complaints Handling Awareness –As part of induction and refresher training (including first point resolution)
- Conflict Resolution - As part of Merseyrail's TravelSafe training, to identify individuals on the Merseyrail network, avoid conflict and resolve issues. This is refreshed every two years highlighting key changes to legislation and policy.
- M-Spire – A bespoke Merseyrail training programme on customer service improvement... This programme is the 'how' we do the right thing for the customer. Staff are asked to be in the customers shoes in scenarios and are asked come up with their solutions.

These training packages are refreshed every two years and are in place to ensure continuous improvement in customer service and to encourage staff to resolve issues at first point of contact.

Customer Relations staff are given Advanced Customer Service Training on induction, this includes the principles of customer service, customer complaints and call handling. This is refreshed every two years. On the job training is given to Customer Relations staff on the Complaints Handling Policy.

3. RECORD KEEPING

All complaints are categorised in accordance with ORR reporting processes and scanned electronically into our Customer Complaints Database (Blueflag SERVICEmail). The database allows analysing and reporting trends.

Any hard copies are securely archived and destroyed after 6 years.

There is no third party involvement in our complaints process. Any Merseyrail complaints submitted to Merseytravel are forwarded to Merseyrail to resolve.

4. QUALITY ASSURANCE FRAMEWORK/QUALITY CONTROLS

Each period trends are identified and a sample of these complaints are submitted to Service Delivery Group (SDG). SDG is the business group that deals with all aspects of customer service. The sample of complaints and the responses to customers/actions taken are analysed and comments fed back to the Customer Relations Team. This forms part of the Customer Service Director's monthly board report.

Twitter trends versus service delivery are also tracked through this business group.

The Head of Service Support conducts a period audit of complaints (10%) at random to ensure they are allocated to the correct category, dealt with correctly and any compensation given is fair and appropriate.

5. IDENTIFICATION OF SYSTEMIC WEAKNESSES

All complaints received are recorded in our Customer Complaints Database; trends are identified and fed through to the relevant function for addressing. A sample of complaints each period is monitored through our Service Delivery Group for action.

Staff complaints are sent to line management for investigation. Staff have the opportunity to see the customer complaint and once closed out the customer response is sent to line manager for discussion with the member of staff involved. All copies are edited for data protection. Any knowledge gaps or training needs are identified as part of the complaint investigation and are dealt with as soon as is practicable.

Any complaints involving an alleged injury are forwarded to our Safety section and to the Legal and Compliance Manager for investigation; it is the post holder's responsibility to ensure any reports are followed through as is necessary. Once the accident investigation has been concluded and should there be a requirement under RIDDOR, the information is collated and entered into the Safety Management Information System (SMIS).

6. ORGANISATIONAL OWNERSHIP AND COMMITMENT

Customer service / customer aftercare is one of the 25 defined Merseyrail strategies, with strategies being updated on an annual basis. The number of customer complaints is one of Merseyrail's core KPIs. Analysis and trends are reported and discussed in the Board on a monthly basis.

Furthermore the monthly top ten of typical customer comments are discussed in the Service Delivery Group, consisting of all senior managers involved in Merseyrail's customer service delivery.

To ensure visibility for front-line management and staff, all incoming customer complaints as well as our responses are shared with those involved.

7. ADHERENCE TO DATA PROTECTION ACT (1998)

Customer records are held for a period of 6 years in accordance with data protection requirements. Paper mail is securely archived and securely destroyed.

Customer records are electronic. Any paper mail is assigned a reference number and scanned to an electronic version limited to viewing by the Customer Relations Team. Customer details are not divulged to third parties unless written consent has been given.

Any complaint that is forwarded to a colleague for further investigation has the customer's details edited out of the document.

