

Complaints Handling Procedure

March 2022



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1 Introduction

When you travel with us you should expect high standards of service throughout your journey. However, things might sometimes go wrong. We have produced this document to explain what you can expect from us if you need to make a complaint.

A complaint is defined as any expression of dissatisfaction by a customer or potential customer about service delivery or about company or industry policy.

Our complaints procedure:

- is widely available, well-publicised and easy to use;
- makes sure we handle your complaint efficiently and provide a response within a set period;
- makes sure we carry out a full and fair investigation;
- complements the commitments in our passenger charter;
- respects your right to confidentiality, in line with the Data Protection Act;
- provides information to our management so that improvements can be made and our service can continually improve; and
- can deal with insurance claims made against us.

2 The ScotRail promise

- We will make sure that our staff at stations and on trains have the appropriate training to deal with your complaint on the spot.
- If your complaint cannot be settled at the time, our staff will put you in touch with our Customer Relations team.
- If you are delayed by 30 minutes or more on one of our trains, you can claim compensation under our Delay Repay scheme without having to make a formal complaint. Delay Repay compensation will be paid to you by the method you used to pay for your tickets or by a method of your choice from the options set out in our Delay Repay claim form. On top of this, if a delay to a ScotRail train causes you to miss an onward connection and be delayed further, then you can count that as part of your Delay Repay claim. You will be able to apply for your Delay Repay compensation online as well as making complaints online. You can get a Delay Repay claim form from any of our staffed stations. You can also get one off our website at www.scotrail.co.uk/delay-repay.

3 Our Customer Relations team

We have a specially trained team of Customer Relations advisors to deal with your complaint. Our training covers how to handle and respond to complaints and includes the content of this document to ensure our team understand and apply our promise to our customers.

Our Customer Relations contact details are shown on posters at stations, in each carriage of all our trains, printed within our timetables and passenger charter, and available on our website at www.scotrail.co.uk. It's usually quicker to contact us by phone or online, but we will continue to offer other contact methods such as post.

Online

You can contact us using an online comment form on our website at www.scotrail.co.uk/contactus.

By email

You can email us at customer.relations@scotrail.co.uk.

By phone

You can call us on 0344 811 0141 between 7am and 10pm, seven days a week (7am to 6pm on 24 and 31 December). We are closed on Christmas Day, Boxing Day and New Years Day. If you call outside these hours, you will receive a message to call back after 7am or contact us through our website at www.scotrail.co.uk. Calls are charged at the local call rate from a standard landline.

By post

You can write to us at:
ScotRail Customer Relations
PO Box 27129
Glasgow
G2 9LH.

By social media

You can post to our Facebook page or send us a private message. We will reply to as many posts as we can. Our staff are important to us and we respect their right to privacy, so we won't deal with complaints about staff on Facebook. Any post identifying a ScotRail colleague will be hidden from the page. If you want to give us feedback on any of our staff, please email customer.relations@scotrail.co.uk.

If you make a complaint through social media, we will send you a link to our Customer Relations team.

4 Response times

We will reply to your complaint as quickly as possible. We must provide a full and final response within 20 working days.

Our target is to respond to at least 95% of complaints received by post, email or through our website within ten working days. However, we sometimes need further time to investigate. If you don't hear from us within ten working days, we will send you a £10 rail voucher as an apology.

We will work closely with Transport Scotland and Transport Focus during periods of increased call volumes, which may affect our ability to meet this target. We aim to answer 80% of calls within 30 seconds. If we cannot settle your complaint at the time of the call, we aim to respond in the timescales mentioned for letters and emails, as detailed above.

5 Complaints involving other companies

If your complaint or claim is about another train company, Network Rail or another agency, we will send it on to them and write to you with their details within ten working days. If your journey involves another train company as well as us, we will consider the whole complaint if we are responsible for the main reasons for the complaint and will respond in full within ten working days. If there is any dispute over who is most responsible, we will work with the other train company or companies in line with industry guidelines. We will let you know the outcome within ten working days.

6 Complaints involving a complaints-handling company

If you choose to make your complaint through a complaint-handling company, they will send it to us, on your behalf. We will then investigate and respond directly to you.

7 Forums and events

We intend to hold regular forums and events for our customers and shareholders. These events give you the opportunity to ask questions, raise issues or make a complaint in person with our directors, senior managers and other members of our team. Dates and locations of these events will be shown on our website, or you can find them out from our Customer Relations team.

8 A fair complaints procedure

We will investigate any comments and complaints fully and fairly. If appropriate, we will involve our managers and members of the Senior Management team. This way we can try to avoid the same mistake happening again.

We aim to settle your complaint first time round and will apologise if we need to. If you are not satisfied that we have settled your complaint, a manager will look into your specific concerns again and give you their details as a point of contact. Please give us the opportunity to try to settle your complaint. If you're unhappy with our response, you can appeal to the Rail Ombudsman. The Rail Ombudsman is there to help settle disputes between us and our customers. 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 given in a letter or email (sometimes called a 'deadlock letter'); or
- we haven't settled 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 industry policy, or the way one of our services has been designed. If that's the case, 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, such as Transport Focus. They will independently review your complaint and, where appropriate, follow things up on your behalf.

9 Vexatious or abusive complaints

If a complaint contains abusive language or is aggressive in tone whether in person, on the phone or in correspondence by any channel, we will reply, but will advise you in our response that this is unacceptable and that we will terminate any further correspondence with you if it continues. The decision to terminate correspondence will be taken by the Customer Relations Manager. We will advise you of our decision including the reason why and provide you with the contact details of the passenger watchdogs and our alternative dispute resolution provider should you wish to escalate further.

10 Quality of response

When you complain to us, we aim to settle the matter first time round. We aim to use one member of the Customer Relations team to deal with you throughout the process.

11 Complaints about staff

We will investigate all complaints about staff or safety-related matters fully and fairly. Because of confidentiality rules, we will not be able to tell you the outcome of any internal disciplinary procedure we take.

12 Compensation

We will offer compensation when appropriate, as explained in our passenger charter, which is on our website at www.scotrail.co.uk/passenger-charter. We may also consider appropriate goodwill gestures when we cannot meet the standards, we have promised to provide to you. This procedure does not affect the rights you would have under the Consumer Rights Act 2015, unless the law allows this. For information about your rights, including under the Consumer Rights Act 2015, see the website at www.gov.uk/consumer-protection-rights.

13 Getting a copy of our passenger charter

You can get a copy of our passenger charter from our website at www.scotrail.co.uk/passenger-charter, from any of our staffed stations, or by contacting our Customer Relations team.

14 Monitoring the quality of our responses

We monitor the quality of our service through customer-satisfaction surveys and customer call-backs (where we phone you for feedback). We also review the information that we receive from customers who get back in touch to tell us they are not happy about the way we have handled their complaint. We share this information with Transport Scotland and use it to improve the performance of our Customer Relations team.

We have a dedicated Quality team who monitor the quality of responses to ensure that our complaint handling training is being adhered to.

15 Diversity and equality

We will meet the needs of customers whose first language is not English and reply to them in the appropriate language. Also, if you want a copy of this complaint's procedure in another format (such as large print), please send an email to customer.relations@scotrail.co.uk.

We are committed to meeting the needs of people with disabilities. We aim to make sure that carers, support workers and guardians can act on behalf of a passenger, as long as we have the passenger's permission. For more details on how we do this, see our Disabled Peoples Protection Policy on the website at www.scotrail.co.uk/disabled-peoples-protection-policy.

16 Confidentiality

We may give some or all of your details to a third party without asking you if we need to do so to meet our legal obligations. The third parties we may give details to include other train companies, Transport Focus, Transport Scotland, insurers, the Office of Rail and Road (ORR), the police or any similar organisations.

17 Management reports

Customer feedback is important to us. It helps us to find out where we can improve our service. To make sure that feedback helps us to make improvements, we will do the following.

- Give managers at all levels regular reports on the number and type of complaints, so they can identify where improvements are needed and take appropriate action.
- Send Transport Scotland and the ORR reports every four weeks on our performance in handling complaints. The reports will give details of how quickly we responded to complaints and how satisfied customers were with how we dealt with complaints.
- Make specific reports available to senior managers if we think this will help them improve our performance.
- Provide information to Transport Scotland, the ORR and Transport Focus, in the format and at the times required by Transport Scotland, on the number of comments and complaints we receive, and our performance in dealing with them.

18 Claims for losses, damage to property and personal injury

If you want to make a claim against us for losses, damage to property or personal injury, write to Customer Relations. They will deal with your claim in line with the National Rail Conditions of Travel and our passenger charter. Claims for personal injury will be sent to our claims handlers. They will deal with your claim in line with the Claims Allocation and Handling Agreement (CAHA). You can see this at <http://orr.gov.uk/what-and-how-we-regulate/licensing/licensing-railway-operators/licence-obligations>.

If there are any risks to safety, we will pass details to the appropriate department as soon as we start dealing with your claim.

19 Reviewing our complaints procedure

The Customer Experience Delivery Group, who are responsible for improving quality in our business, will review this complaints procedure every year. They will do this with Transport Focus and Transport Scotland.

We will not change the complaints procedure without consulting Transport Focus and Transport Scotland, and getting permission from the ORR.

20 Contact details

ScotRail Customer Relations

Phone:	0344 811 0141
Textphone :	0845 602 0346
Email:	customer.relations@scotrail.co.uk
Address:	ScotRail Customer Relations PO Box 27129 Glasgow G2 9LH
Website:	www.scotrail.co.uk

Rail Ombudsman contact details

Website: (including online chat):	http://www.railombudsman.org
Telephone:	0330 094 0362
Textphone:	0330 094 0363
Email:	info@railombudsman.org
Twitter:	@RailOmbudsman
Post:	FREEPOST – RAIL OMBUDSMAN

The Contact Centre team are available:
Monday to Friday
Saturday and Bank Holidays
(excluding Christmas Day)

08:00 - 20:00
08:00 - 13:00