

Stephanie Tobyn
Director
Strategy, Policy and Reform



To holders of:
Passenger SNRPs
Charter Passenger SNRPs
Passenger train licences
Station licences

listed at Annexes A and B of this notice

20 October 2022

Notice of statutory consultations on changes to modify the Complaints Handling obligations in the licences and SNRPs listed in Annexes A and B of this Notice

ORR hereby gives notice under Section 12(2) of the Railways Act 1993, and Regulation 13(2) of the Railway (Licensing of Railway Undertakings) Regulations 2005, of its proposals to modify condition 6, the **Complaints Handling or Complaints Procedure** (as relevant) (the “Condition”), in the licences and Statement of National Regulatory Provisions (“SNRP”) listed in the Annexes to this notice.

Structure of this document

These statutory consultations set out our proposals to modify the Condition in licences and SNRPs in two distinct ways:

1. Changes regarding licence holders’ complaints handling obligations (**Annex A**); and
2. Changes regarding licence holders’ membership of the relevant Alternative Dispute Resolution (“**ADR**”) scheme (**Annex B**).

We are issuing these consultations in one document for convenience to stakeholders. However, we are asking licence and SNRP holders to provide separate consents to each set of modifications. **Please do so in the proforma response form(s) that we are publishing alongside this notice.** Please note that a separate form must be completed for each separate licence held.



Annex A sets out proposed modifications and seeks consent to modify the Condition to require listed licence (see **Annex A1**) and SNRP holders (see **Annex A2**) to establish and comply with a complaints handling procedure (CHP) that complies with ORR's Complaints Code of Practice (CoP).

Annex B sets out proposed modifications and seeks consent to modify the Condition to require listed licence holders (see **Annex B1**) and SNRP holders (see **Annex B2**) to become and remain members of an Alternative Dispute Resolution (ADR) scheme in the rail sector, procured by ORR. Licence and SNRP holders will also be required to comply with relevant obligations under the ADR scheme membership terms and to contribute to the funding of the scheme.

For ease, we have also included for information (but not for consent) the final version of the Condition at **Annex C if all proposed changes are accepted**.

Details on how to respond and provide your consent, representations or objections to the respective modifications are provided in **Annexes A (including A1 and A2)** and **Annex B (including B1 and B2)** below. The deadline for responses is **5pm on 21 November 2022**.

For each set of modifications, if we do not receive the consent required, we will consider referring the matter to the Competition and Markets Authority under Section 13(1) of the Railways Act 1993 and/or Schedule 3 of the Railway (Licensing of Railway Undertakings) Regulations 2005, as appropriate.

This notice is also being published on our website.

Yours sincerely

A handwritten signature in cursive script, reading 'Stephanie Tobyn', is positioned below the text 'Yours sincerely'.

Stephanie Tobyn



We may publish all responses to this consultation on our website. Should you wish for any information that you provide to be treated as confidential, please be aware that this may be subject to publication, or release to other parties or to disclosure, in accordance with the access to information regimes. These regimes are primarily the Freedom of Information Act 2000 (FOIA), the General Data Protection Regulation (GDPR,) the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004.

Under the FOIA, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this, if you are seeking confidentiality for information you are providing, please explain why. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on ORR.

If you are seeking to make a response in confidence, we would also be grateful if you would annex any confidential information, or provide a non-confidential summary, so that we can publish the non-confidential aspects of your response.

Annex A: Complaints Handling

Effect and reasons for proposed modifications

Under their current licences, passenger train and station operators must establish and comply with a complaints handling procedure (CHP) that is approved by the Office of Rail and Road (ORR). Our guidance on complaints handling procedures for licence holders sets out what we will look for when carrying out our approvals role and when monitoring for continuing compliance. [Guidance on complaints handling procedures for licence holders, 2015 \(orr.gov.uk\)](#)

On 4 August 2021, we consulted on replacing this guidance with a new Complaints Code of Practice (CoP) and on amending and simplifying sections of the complaints handling licence condition. We published our response to the August 2021 consultation on 28 June 2022. At the same time we published a second consultation on the amended CoP and on the text of the draft Condition and asked for any comments by 5 August 2022. Our final decision document was published on 10 October and can be found at [Complaints Code of Practice | Office of Rail and Road \(orr.gov.uk\)](#), along with details of all preceding consultations.

The principal effect of these changes is that ORR will no longer approve individual licence holders' CHPs. Instead, licence and SNRP holders will be required to establish and thereafter comply with a CHP that complies with our CoP. This is intended to incentivise licence holders to take greater ownership of their complaints handling procedures. It will also allow ORR to focus more attention on outcomes for passengers with resources refocused on compliance and performance monitoring.

The proposed modifications are contained in **Annexes A1 and A2** to this Notice. The proposed changes detailed in Annex A1 will apply to the listed licence holders and the proposed changes detailed in Annex A2 will apply to SNRP holders. These proposed modifications are separate to the proposed modifications relating to ADR (for which see **Annex B**). The current ADR clauses will remain in place until the modifications set out in Annex B come into effect. For ease, we have included the final versions of the Condition at **Annex C** if all proposed changes are accepted.

The reasons for the changes we are proposing were set out in our August 2021 consultation and continue to apply. In summary, we are proposing to replace the current CHP approval process (and Transport Focus and London TravelWatch's role within it) with a requirement on licence holders to establish and comply with a CHP that complies with our CoP. We are proposing to do this by amending paragraph 1 of the Condition and removing paragraph 2.



We are also proposing to remove paragraph 3 under which ORR can require licence holders to carry out a review of their complaints procedure. In future this may form part of our monitoring and compliance activities as described in the CoP (see clause 1.7 of the CoP).

We are also removing the paragraph 4 requirement to display or procure the display of a notice giving the address from which a current copy of the complaints procedure may be obtained. This is superseded by the broader requirements within Provision 1 of the CoP around promoting awareness of the complaints process.

The requirement in paragraph 4 to make available free of charge a copy of the complaints procedure to any person who requests it has been removed from the licence condition and is carried forward into the CoP instead.

Having gained views from stakeholders on the proposed modifications to licences and SNRPs pertaining to the procedure for handling complaints, we consider that the changes set out at Annexes A1 and A2 should be made for the reasons previously set out, and that the change should be made for all licence and SNRP holders as listed.

We now request the consent of relevant licence and SNRP holders in order to make the modifications as set out in Annex A1 (licence) or A2 (SNRP). We would be grateful if licence and SNRP holders can send their written consent, representations or objections to ORR by 5pm on 21 November 2022 using the proforma published alongside this document.

A1: Proposed modifications to the Condition in Railways Act Licences

For the licence holders listed in **tables 1 and 2** below we propose to replace the current Condition with the following text. As set out above, this text does not include the separate modifications proposed in Annex B to the ADR clauses.

Complaints Handling

1. The licence holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers. The procedure shall comply with the Complaints Code of Practice.
2. Not used
3. Not used
4. Not used
5. Alternative Dispute Resolution:
 - (a) The licence holder shall become and thereafter remain, a member of the Relevant ADR Scheme;
 - (b) the licence holder shall comply with its obligations under the Relevant ADR Scheme; and
 - (c) if the Relevant ADR Scheme, at any time, ceases to be Compliant, the licence holder must:
 - (i) within 14 days after becoming aware that the Relevant ADR Scheme is no longer Compliant, notify ORR of that fact;
 - (ii) within no more than 28 days after becoming aware that the Relevant ADR Scheme is no longer Compliant, notify ORR of the arrangements it has put in place to ensure that the interests of passengers are not adversely affected and must, if so directed by ORR at any time, revise those arrangements to take account of any concerns ORR reasonably raises about the protection of passenger interests; and
 - (iii) if the Relevant ADR Scheme continues to be non-Compliant for more than 6 months:

- take all such steps as are reasonably practicable, including working together with other members of the Relevant ADR Scheme, and Rail Delivery Group, as appropriate, to identify another alternative dispute resolution scheme which is Compliant; and
- notify such scheme to ORR within not more than 12 months (or such longer period as ORR may agree) after the date on which the Relevant ADR Scheme ceased to be Compliant.

6. For the purposes of this Condition:

“Relevant ADR Scheme” means:

- the alternative dispute resolution scheme procured by Rail Delivery Group (the Rail Ombudsman) or, as the case may be, any Successor Scheme.

“Successor Scheme” means:

- such other alternative dispute resolution scheme as is notified to ORR by the licence holder under sub-paragraph (c)(iii) above and is accepted by ORR as providing suitable protection for the interests of passengers.

“Complaints Code of Practice” means

- the Complaints Code of Practice published by ORR, as amended from time to time.

“Compliant”, in relation to the Relevant ADR Scheme, means:

- that the scheme is approved by the Designated Competent Authority.

“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

Table 1: Station Licences

Station licence holder	Date and number
Abellio East Anglia Ltd	11/10/2016 UK 03 2016 0005
Abellio East Midlands Ltd	13/08/2019 UK 03 2019 0001
Arriva Rail London Ltd	07/11/2016 UK 03 2016 0009
The Chiltern Railway Company Ltd	30/04/1995 UK 03 1995 0015
Greater Western Railway Ltd	22/08/2019 UK 03 2019 0007
South Western Railway Ltd	22/08/2019 UK 03 2019 0010
Cross Country Rail Ltd	22/08/2019 UK 03 2019 0013
c2c Railway Ltd	22/08/2019 UK 03 2019 0016
First Greater Western Ltd	28/03/2006 UK 03 2006 0002
First MTR South Western Trains Ltd	14/08/2017 UK 03 2017 0001
First TransPennine Express Ltd	17/08/2016 UK 03 2016 0002
First Trenitalia West Coast Rail Ltd	02/12/2019 UK 03 2019 0018
Glasgow Prestwick International Airport Ltd	05/09/1994 UK 03 1994 0006

Station licence holder	Date and number
Govia Thameslink Railway Ltd	09/09/2014 UK 03 2014 0008
London North Eastern Railway Ltd	05/06/2014 UK 03 2014 0003
Merseyrail Electrics 2002 Ltd	20/07/2003 UK 03 2003 0013
Merseyrail Electrics 2002 Ltd (Liverpool South Parkway station)	23/12/2005 UK 03 2005 0086
Merseyrail Passenger Transport Services Ltd	09/09/2014 UK 03 2014 0005
Mitie Technical Facilities Management Ltd	01/09/2013 UK 03 2013 0001
MTR Corporation (Crossrail) Ltd	27/05/2015 UK 03 2015 0005
Northern Trains Ltd	22/08/2019 UK 03 2019 0004
Rail for London Ltd (OLR)	25/10/2007 UK 03 2007 0017
SE Trains Ltd	19/10/2018 UK 03 2018 0009
South Yorkshire Supertram Ltd	04/05/2018 UK 03 2018 0002
Trenitalia c2c Ltd	29/10/2014 UK 03 2014 0011
Tyne and Wear Passenger Transport Executive	26/02/2002 UK 03 2002 0003
West Midlands Trains Ltd	01/12/2017

Station licence holder	Date and number
	UK 03 2017 0004
ScotRail Trains Ltd	12/03/2020 UK 03 2020 0001
London Southend Airport Company Ltd	26/05/2020 UK 03 2020 0005
Transport for Wales Rail Ltd	20/08/2020 UK 03 2020 0006
Railway West Coast Ltd	10/09/2020 UK 03 2020 0009
GA Trains Ltd	10/09/2020 UK 03 2020 0012
TransPennine Trains Ltd	10/09/2020 UK 03 2020 0015
Chiltern Rail Ltd	10/09/2020 UK 03 2020 0018
WM Trains Ltd	10/09/2020 UK 03 2020 0021
Midlands East Trains Ltd	10/09/2020 UK 03 2020 0024
Thameslink Southern Great Northern Ltd	10/09/2020 UK 03 2020 0027
Transport for Greater Manchester	18/01/2021 UK 03 2020 0031

Table 2: Passenger Train Licences

Passenger train licence holder	Date and number
North Yorkshire Moors Railway Enterprises plc	17/01/2007 UK 03 2007 0002
Pre Metro Operations Ltd	03/04/2003 UK 03 2003 0004
Tyne and Wear Passenger Transport Executive	15/03/2002 UK 03 2002 0002
South Yorkshire Supertram Ltd	04/05/2018 UK 03 2018 0001
Merseyside Passenger Transport Services Ltd	09/09/2014 UK 03 2014 0004
Merseyrail Electrics 2002 Ltd	17/07/2003 UK 03 2003 0011

A2 Proposed modifications to the Condition in Passenger SNRP

For the SNRPs listed in **table 3** below we propose to replace the current Condition with the following text. As set out above, this text does not include the separate modifications proposed in Annex B to the ADR clauses.

Complaints Handling

1. The SNRP holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers. The procedure shall comply with the Complaints Code of Practice, and shall also comply with article 27 of the PRO Regulation.
2. Not used
3. Not used
4. Not used
5. Alternative Dispute Resolution:
 - (a) The SNRP holder shall become and thereafter remain, a member of the Relevant ADR Scheme;
 - (b) the SNRP holder shall comply with its obligations under the Relevant ADR Scheme; and
 - (c) if the Relevant ADR Scheme, at any time, ceases to be Compliant, the SNRP holder must:
 - (i) within 14 days after becoming aware that the Relevant ADR Scheme is no longer Compliant, notify ORR of that fact;
 - (ii) within no more than 28 days after becoming aware that the Relevant ADR Scheme is no longer Compliant, notify ORR of the arrangements it has put in place to ensure that the interests of passengers are not adversely affected and must, if so directed by ORR at any time, revise those arrangements to take account of any concerns ORR reasonably raises about the protection of passenger interests; and
 - (iii) if the Relevant ADR Scheme continues to be non-Compliant for more than 6 months:

- take all such steps as are reasonably practicable, including working together with other members of the Relevant ADR Scheme, and Rail Delivery Group, as appropriate, to identify another alternative dispute resolution scheme which is Compliant; and
- notify such scheme to ORR within not more than 12 months (or such longer period as ORR may agree) after the date on which the Relevant ADR Scheme ceased to be Compliant.

6. For the purposes of this Condition:

“Relevant ADR Scheme” means:

- the alternative dispute resolution scheme procured by Rail Delivery Group (the Rail Ombudsman) or, as the case may be, any Successor Scheme.

“Successor Scheme” means:

- such other alternative dispute resolution scheme as is notified to ORR by the SNRP holder under sub-paragraph (c)(iii) above, and is accepted by ORR as providing suitable protection for the interests of passengers.

“Complaints Code of Practice” means

- the Complaints Code of Practice published by ORR, as amended from time to time.

“Compliant”, in relation to the Relevant ADR Scheme, means:

- that the scheme is approved by the Designated Competent Authority.

“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

Table 3: Passenger SNRPs

Passenger SNRP holder	Date and number	Passenger SNRP holder	Date and number
Abellio East Anglia Ltd	11/10/2016 UK 2016 0003	GB Railfreight Ltd (charter)	23/06/2009 UK 02 2009 0001
Abellio East Midlands Ltd	13/08/2019 UK 02 2019 0001	Govia Thameslink Railway Ltd	09/09/2014 UK 02 2014 2002
Arriva Rail London Ltd	07/11/2016 UK 03 2016 0007	Grand Central Railway Company Ltd	04/06/2007 UK 02 2007 0003
The Chiltern Railway Company Ltd	28/11/2005 UK 02 2005 0019	Heathrow Express Operating Co Ltd	13/01/2014 UK 02 2014 0001
Direct Rail Services Ltd (charter)	28/11/2005 UK 02 2005 0024	Hull Trains Company Ltd	28/11/2005 UK 02 2005 0055
First Greater Western Ltd	28/03/2006 UK 02 2006 0002	Locomotive Services (TOC) Ltd (charter)	04/07/2017 UK 02 2017 0001
First MTR South Western Trains Ltd	14/08/2017 UK 02 2017 0002	London North Eastern Railway Ltd	20/09/2006 UK 02 2006 0012
First TransPennine Express Ltd	17/03/2016 UK 02 2016 0001	MTR Corporation (Crossrail) Ltd	27/05/2015 UK 02 2015 0004
First Trenitalia West Coast Rail Ltd	02/12/2019 UK 02 2019 0002	Northern Trains Ltd	20/09/2006 UK 02 2006 0010

Passenger SNRP holder	Date and number	Passenger SNRP holder	Date and number
Greater Western Railway Ltd	20/09/2006 UK 02 2006 0013	Vintage Trains Ltd (charter)	04/09/2018 UK 02 2018 0001
South Western Railway Ltd	22/08/2019 UK 03 2019 0010	West Coast Railway Company Ltd (charter)	17/06/1998 UK 02 2005 0079
Cross Country Rail Ltd	22/08/2019 UK 03 2019 0013	West Midlands Trains Ltd	01/12/2017 UK 02 2017 0003
c2c Railway Ltd	22/08/2019 UK 03 2019 0016	XC Trains Ltd	07/11/2007 UK 02 2007 0010
Rail for London Ltd (OLR)	25/10/2007 UK 02 2007 0008	Transport for Wales Rail Ltd	20/08/2020 UK 02 2020 0001
Rail Operations (UK) Ltd (charter)	11/08/2016 UK 02 2016 0011	Railway West Coast Ltd	10/09/2020 UK 01 2020 0002
SE Trains Ltd	02/09/2006 UK 02 2006 0009	GA Trains Ltd	10/09/2020 UK 02 2020 0003
ScotRail Trains Ltd	10/10/2007 UK 02 2007 0006	TransPennine Trains Ltd	10/09/2020 UK 02 2020 0004
Serco Caledonian Sleepers Ltd	05/03/2015 UK 02 2015 0001	Chiltern Rail Ltd	10/09/2020 UK 02 2020 0005
SOLR2 Ltd (unused)	10/10/2007 UK 02 2007 0007	WM Trains Ltd	10/09/2020 UK 02 2020 0006
Trenitalia c2c Ltd	29/10/2014 UK 02 2014 0003	Midlands East Trains Ltd	10/09/2020 UK 02 2020 0007

Passenger SNRP holder	Date and number
Thameslink Southern Great Northern Ltd	10/09/2020 UK 02 2020 0008

Passenger SNRP holder	Date and number
RailAdventure Ltd	18/10/2021 UK 02 2021 0002

East Coast Trains Ltd	08/10/2021 UK 02 2021 0001
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Annex B: Alternative Dispute Resolution Scheme

Effect and reasons for proposed modifications

The proposed modifications to licences and SNRPs pertaining to the relevant ADR scheme are contained in Annexes B1 and B2 to this Notice. The proposed modifications detailed in Annex B1 will apply to the listed licence holders and the proposed modifications in Annex B2 will apply to SNRP holders. These proposed modifications are separate to the proposed modifications to the complaints handling procedure set out in Annexes A1 and A2, which if consented to will be implemented first. As a result we have set out versions of the Condition where the proposed modifications in Annex A are consented to (**B1(i) and B2(i)**), and versions where they are not (**B1(ii) and B2(ii)**).

For ease, we have included the final version of the Condition at Annex C **if all proposed changes in both Annex A and Annex B are accepted**.

We previously consulted on and published a decision on the necessity of having a condition that required membership of a rail ADR scheme [Alternative Dispute Resolution requirements and draft licence modification - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/alternative-dispute-resolution-requirements-and-draft-licence-modification). We consider that the reasons given within the 2018 consultation for the need for mandatory membership to a rail ADR scheme, including the need to protect dissatisfied consumers and benefit both rail users and the industry more widely, remain relevant.

ORR consulted on the modifications to licences and SNRPs discussed in this letter, alongside a new ombudsman operating model, in June 2022. The outcome of that consultation is published: [Consultation on a draft Rail Ombudsman operating model | Office of Rail and Road \(orr.gov.uk\)](https://www.orr.gov.uk/consultation-on-a-draft-rail-ombudsman-operating-model).

As set out in that consultation, the proposed modifications remove the current obligation on licence and SNRP holders to become and remain members of the Rail Delivery Group-procured rail ADR scheme and replace it with a requirement to join and remain a member of the ORR-procured rail ADR scheme (once it is established in 2023).

The obligation on licence and SNRP holders to provide for a Successor Scheme is removed, as ORR will step in as sponsor to the ADR scheme. This removes the need for the licence and SNRP holder to provide an alternative to an RDG procured scheme.

In addition, the obligation for licence and SNRP holders to contribute towards the cost of the rail ADR scheme is set out within the proposed new condition. This



maintains the current obligation that scheme members (including licence and SNRP holders) contribute towards the funding of the relevant ADR scheme but embeds this in the Condition (rather in a separate contractual agreement) because ORR will be the sponsoring organisation.

ORR is in the process of procuring a service provider for the relevant ADR scheme. As such, the exact date on which the licence and SNRPs modifications will take effect is currently unknown. However, modifications to licences and SNRPs will only take effect:

1. once ORR has appointed a service provider of a relevant ADR scheme; and
2. on completion of the service implementation period following which the relevant ADR scheme will be able to start taking on cases.

We currently expect this work to be completed by summer 2023. Licence and SNRP holders will be notified in due course when modifications will take effect.

Having gained views from stakeholders on the proposed modifications to licences and SNRPs pertaining to the relevant ADR scheme, we consider that the changes set out at Annex B should be made for the reasons set out above and that the change should be made for all licence and SNRP holders which are subject to the relevant conditions.

We now request the consent of licence and SNRP holders in order to make the modifications as set out in Annexes B1 (licence) and B2 (SNRP). We would be grateful to receive written consent, representations or objections by 5pm on 21 November 2022 using the proforma published alongside this document.

Annex B1: Proposed modifications to the Condition in Railways Act Licences

Annex B1(i): Proposed modifications to the Condition in Railways Act Licences where Annex A1 changes are accepted

Where the proposed changes in Annex A1 **are** accepted, for the licence holders listed in tables 4 and 5 below we propose to replace the Condition with the following text in **paragraphs 5 and 6**.

Complaints Handling

1. The licence holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers. The procedure shall comply with the Complaints Code of Practice.
2. Not used
3. Not used
4. Not used
5. Alternative Dispute Resolution:
 - (a) The licence holder shall become and thereafter remain, a member of the Relevant ADR Scheme;
 - (b) the licence holder shall comply with its obligations under the Relevant ADR Scheme; and
 - (c) the licence holder shall make such payments as required for the Relevant ADR Scheme on the terms notified to the licence holder in writing by ORR.
6. For the purposes of this Condition:

“Relevant ADR Scheme” means:

 - the alternative dispute resolution scheme procured by ORR and approved by the Designated Competent Authority.

“Complaints Code of Practice” means



- the Complaints Code of Practice published by ORR, as amended from time to time.

“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

Annex B1(ii): Proposed modifications to the Condition in Railways Act Licences where Annex A1 changes are not accepted

Where the proposed changes in Annex A1 **are not** accepted, for the licence holders listed in tables 4 and 5 below we propose to replace the Condition with the following text in **paragraphs 5 and 6**.

Complaints Handling

1. The licence holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers.
2. The licence holder shall not establish, or make any material change (save in respect of paragraph 3(b)), to the Complaints Procedure unless and until:
 - (a) the PC and, where appropriate, LTUC has been consulted; and
 - (b) the licence holder has submitted the Complaints Procedure, or (as the case may be) the proposed change, to ORR and ORR has approved it.
3. Where ORR requires the licence holder to carry out a review of the Complaints Procedure or any part of it or the manner in which it has been implemented, with a view to determining whether any change should be made to it, the licence holder shall:
 - (a) promptly carry out a review and submit a written report to ORR setting out the results or conclusions; and
 - (b) make such changes to the Complaints Procedure, or the manner in which it is implemented, as ORR may reasonably require after ORR has received a report under paragraph 3(a) and consulted the licence holder, the PC and, where appropriate, LTUC.
4. The licence holder shall:
 - (a) send a copy of the Complaints Procedure and of any change to it to ORR and the PC and, where appropriate, LTUC;
 - (b) in a place of reasonable prominence at each station at which trains operated by the licence holder are scheduled to call, display or procure the display of a notice giving the address from which a current copy of the Complaints Procedure may be obtained; and

- (c) make available free of charge a current copy of the Complaints Procedure to any person who requests it.

5. Alternative Dispute Resolution:

- (a) The licence holder shall become and thereafter remain, a member of the Relevant ADR Scheme;
- (b) the licence holder shall comply with its obligations under the Relevant ADR Scheme; and
- (c) the licence holder shall make such payments as required for the Relevant ADR Scheme on the terms notified to the licence holder in writing by ORR.

6. For the purposes of this Condition:

“Relevant ADR Scheme” means:

- the alternative dispute resolution scheme procured by ORR and approved by the Designated Competent Authority.

“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

Table 4: Station Licences

Station licence holder	Date and number	Station licence holder	Date and number
Abellio East Anglia Ltd	11/10/2016 UK 03 2016 0005	Mitie Technical Facilities Management Ltd	01/09/2013 UK 03 2013 0001
Abellio East Midlands Ltd	13/08/2019 UK 03 2019 0001	MTR Corporation (Crossrail) Ltd	27/05/2015 UK 03 2015 0005
Arriva Rail London Ltd	07/11/2016 UK 03 2016 0007	Northern Trains Ltd	22/08/2019 UK 03 2019 0004
The Chiltern Railway Company Ltd	30/04/1995 UK 03 1995 0015	Rail for London Ltd (OLR)	25/10/2007 UK 03 2007 0017
Greater Western Railway Ltd	22/08/2019 UK 03 2019 0007	SE Trains Ltd	19/10/2018 UK 03 2018 0009
South Western Railway Ltd	22/08/2019 UK 03 2019 0010	South Yorkshire Supertram Ltd	04/05/2018 UK 03 2018 0002
Cross Country Rail Ltd	22/08/2019 UK 03 2019 0013	Trenitalia c2c Ltd	29/10/2014 UK 03 2014 0011
c2c Railway Ltd	22/08/2019 UK 03 2019 0016	Tyne and Wear Passenger Transport Executive	26/02/2002 UK 03 2002 0003
First Greater Western Ltd	28/03/2006 UK 03 2006 0002	West Midlands Trains Ltd	01/12/2017 UK 03 2017 0004

Station licence holder	Date and number	Station licence holder	Date and number
First MTR South Western Trains Ltd	14/08/2017 UK 03 2017 0001	ScotRail Trains Ltd	12/03/2022 UK 03 2020 0001
First TransPennine Express Ltd	17/08/2016 UK 03 2016 0002	London Southend Airport Company Ltd	26/05/2020 UK 03 2020 0005
First Trenitalia West Coast Rail Ltd	02/12/2019 UK 03 2019 0018	Transport for Wales Rail Ltd	20/08/2020 UK 03 2020 0006
Glasgow Prestwick International Airport Ltd	05/09/1994 UK 03 1994 0006	Railway West Coast Ltd	10/09/2020 UK 03 2020 0009
Govia Thameslink Railway Ltd	09/09/2014 UK 03 2014 0008	GA Trains Ltd	10/09/2020 UK 03 2020 0012
London North Eastern Railway Ltd	05/06/2014 UK 03 2014 0003	TransPennine Trains Ltd	10/09/2020 UK 03 2020 0015
Merseyrail Electrics 2002 Ltd	20/07/2003 UK 03 2003 0013	Chiltern Rail Ltd	10/09/2020 UK 03 2020 0018
Merseyrail Electrics 2002 Ltd (Liverpool South Parkway station)	23/12/2005 UK 03 2005 0086	WM Trains Ltd	10/09/2020 UK 03 2020 0021
Merseyrail Passenger Transport Services Ltd	09/09/2014 UK 03 2014 0005	Midlands East Trains Ltd	10/09/2020 UK 03 2020 0024

Station licence holder	Date and number	Station licence holder	Date and number
Thameslink Southern Great Northern Ltd	10/09/2020 UK 03 2020 0027	Transport for Greater Manchester	18/01/2021 UK 03 2020 0031

Table 5: Passenger Train Licences

Passenger train licence holder	Date and number
North Yorkshire Moors Railway Enterprises plc	17/01/2007 UK 03 2007 0002
Pre Metro Operations Ltd	03/04/2003 UK 03 2003 0004
Tyne and Wear Passenger Transport Executive	15/03/2002 UK 03 2002 0002
South Yorkshire Supertram Ltd	04/05/2018 UK 03 2018 0001
Merseyside Passenger Transport Services Ltd	09/09/2014 UK 03 2014 0004
Merseyrail Electrics 2002 Ltd	17/07/2003 UK 03 2003 0011

Annex B2: Proposed modifications to the Condition in Passenger SNRP

Annex B2(i): Proposed modifications to the Condition in the Passenger SNRP where Annex A2 changes are accepted

Where the proposed changes in Annex A2 **are** accepted, for the SNRP holders listed in table 6 below we propose to replace the Condition with the following text in **paragraphs 5 and 6**.

Complaints Handling

1. The SNRP holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers. The procedure shall comply with the Complaints Code of Practice, and shall also comply with article 27 of the PRO Regulation.
2. Not used
3. Not used
4. Not used
5. Alternative Dispute Resolution:
 - (a) The licence holder shall become and thereafter remain, a member of the Relevant ADR Scheme;
 - (b) the licence holder shall comply with its obligations under the Relevant ADR Scheme; and
 - (c) the licence holder shall make such payments as required for the Relevant ADR Scheme on the terms notified to the licence holder in writing by ORR.
6. For the purposes of this Condition:

“Relevant ADR Scheme” means:

 - the alternative dispute resolution scheme procured by ORR and approved by the Designated Competent Authority.

“Complaints Code of Practice” means



- the Complaints Code of Practice published by ORR, as amended from time to time.

“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

Annex B2(ii): Proposed modifications to the Condition in Passenger SNRP where Annex A2 changes are not accepted

Where the proposed changes in Annex A2 **are not** accepted, for the SNRP holders listed in table 6 below we propose to replace the Condition with the following text in **paragraphs 5 and 6**.

Complaints Handling

1. The SNRP holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers and shall comply with article 27 of the PRO Regulation (the “Complaints Procedure”).
2. The SNRP holder shall not establish, or make any material change (save in respect of paragraph 3(b)), to the Complaints Procedure unless and until:
 - (a) the PC and, where appropriate, LTUC has been consulted; and
 - (b) the SNRP holder has submitted the Complaints Procedure, or (as the case may be) the proposed change, to ORR and ORR has approved it.
3. Where ORR requires the SNRP holder to carry out a review of the Complaints Procedure or any part of it or the manner in which it has been implemented, with a view to determining whether any change should be made to it, the SNRP holder shall:
 - (a) promptly carry out a review and submit a written report to ORR setting out the results or conclusions; and
 - (b) make such changes to the Complaints Procedure, or the manner in which it is implemented, as ORR may reasonably require after ORR has received a report under paragraph 3(a) and consulted the SNRP holder, the PC and, where appropriate, LTUC.
4. The SNRP holder shall:
 - (a) send a copy of the Complaints Procedure and of any change to it to ORR and the PC and, where appropriate, LTUC;
 - (b) in a place of reasonable prominence at each station at which trains operated by the SNRP holder are scheduled to call, display or procure the

display of a notice giving the address from which a current copy of the Complaints Procedure may be obtained; and

(c) make available free of charge a current copy of the Complaints Procedure to any person who requests it.

5. Alternative Dispute Resolution:

(a) The licence holder shall become and thereafter remain, a member of the Relevant ADR Scheme;

(b) the licence holder shall comply with its obligations under the Relevant ADR Scheme; and

(c) the licence holder shall make such payments as required for the Relevant ADR Scheme on the terms notified to the licence holder in writing by ORR.

6. For the purposes of this Condition:

“Relevant ADR Scheme” means:

- the alternative dispute resolution scheme procured by ORR and approved by the Designated Competent Authority.

“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

Table 6: Passenger SNRP

Passenger SNRP holder	Date and number	Passenger SNRP holder	Date and number
Abellio East Anglia Ltd	11/10/2016 UK 2016 0003	First Greater Western Ltd	28/03/2006 UK 02 2006 0002
Abellio East Midlands Ltd	13/08/2019 UK 02 2019 0001	First MTR South Western Trains Ltd	14/08/2017 UK 02 2017 0002
Arriva Rail London Ltd	07/11/2016 UK 03 2016 0007	First TransPennine Express Ltd	17/03/2016 UK 02 2016 0001
The Chiltern Railway Company Ltd	28/11/2005 UK 02 2005 0019	First Trenitalia West Coast Rail Ltd	02/12/2019 UK 02 2019 0002
Direct Rail Services Ltd (charter)	28/11/2005 UK 02 2005 0024	GB Railfreight Ltd (charter)	23/06/2009 UK 02 2009 0001
Grand Central Railway Company Ltd	04/06/2007 UK 02 2007 0003	Govia Thameslink Railway Ltd	09/09/2014 UK 02 2014 2002
Heathrow Express Operating Co Ltd	13/01/2014 UK 02 2014 0001	ScotRail Trains Ltd	10/10/2007 UK 02 2007 0006
Hull Trains Company Ltd	28/11/2005 UK 02 2005 0055	Serco Caledonian Sleepers Ltd	05/03/2015 UK 02 2015 0001
Locomotive Services (TOC) Ltd (charter)	04/07/2017 UK 02 2017 0001	SOLR2 Ltd (unused)	10/10/2007 UK 02 2007 0007
London North Eastern Railway Ltd	20/09/2006 UK 02 2006 0012	Trenitalia c2c Ltd	29/10/2014 UK 02 2014 0003

Passenger SNRP holder	Date and number	Passenger SNRP holder	Date and number
MTR Corporation (Crossrail) Ltd	27/05/2015 UK 02 2015 0004	Vintage Trains Ltd (charter)	04/09/2018 UK 02 2018 0001
Northern Trains Ltd	20/09/2006 UK 02 2006 0010	West Coast Railway Company Ltd (charter)	17/06/1998 UK 02 2005 0079
Greater Western Railway Ltd	20/06/2006 UK 02 2006 0013	West Midlands Trains Ltd	01/12/2017 UK 02 2017 0003
South Western Railway Ltd	22/08/2019 UK 03 2019 0010	XC Trains Ltd	07/11/2007 UK 02 2007 0010
Cross Country Rail Ltd	22/08/2019 UK 03 2019 0013	Transport for Wales Rail Ltd	20/08/2020 UK 02 2020 0001
c2c Railway Ltd	22/08/2019 UK 03 2019 0016	Railway West Coast Ltd	10/09/2020 UK 01 2020 0002
Rail for London Ltd (OLR)	25/10/2007 UK 02 2007 0008	GA Trains Ltd	10/09/2020 UK 02 2020 0003
Rail Operations (UK) Ltd (charter)	11/08/2016 UK 02 2016 0011	TransPennine Trains Ltd	10/09/2020 UK 02 2020 0004
SE Trains Ltd	20/09/2006 UK 02 2006 0009	Chiltern Rail Ltd	10/09/2020 UK 02 2020 0005
Midlands East Trains Ltd	10/09/2020 UK 02 2020 0007	WM Trains Ltd	10/09/2020 UK 02 2020 0006

Passenger SNRP holder	Date and number	Passenger SNRP holder	Date and number
East Coast Trains Ltd	08/10/2021 UK 02 2021 0001	Thameslink Southern Great Northern Ltd	10/09/2020 UK 02 2020 0008
RailAdventure Ltd	18/10/2021 UK 02 2021 0002		

Annex C: Model Condition (for reference only)

Annex C1: Model for Railways Act Licences

Complaints Handling

1. The licence holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers. The procedure shall comply with the Complaints Code of Practice.
2. Not used.
3. Not used.
4. Not used.
5. Alternative Dispute Resolution:
 - (a) The licence holder shall become and thereafter remain, a member of the Relevant ADR Scheme;
 - (b) the licence holder shall comply with its obligations under the Relevant ADR Scheme; and
 - (c) the licence holder shall make such payments as required for the Relevant ADR Scheme on the terms notified to the licence holder in writing by ORR.
6. For the purposes of this Condition:

“Relevant ADR Scheme” means:

- the alternative dispute resolution scheme procured by ORR and approved by the Designated Competent Authority.

“Complaints Code of Practice” means

- the Complaints Code of Practice published by ORR, as amended from time to time.



“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

Annex C2: Model for SNRPs

1. The SNRP holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers. The procedure shall comply with the Complaints Code of Practice, and shall also comply with article 27 of the PRO Regulation.
2. Not used
3. Not used
4. Not used.
5. Alternative Dispute Resolution
 - (a) The SNRP holder shall become and thereafter remain, a member of the Relevant ADR Scheme;
 - (b) the SNRP holder shall comply with its obligations under the Relevant ADR Scheme; and
 - (c) the SNRP holder shall make such payments as required for the Relevant ADR Scheme on the terms notified to the SNRP holder in writing by ORR.

6. For the purposes of this Condition:

“Relevant ADR Scheme” means:

- the alternative dispute resolution scheme procured by ORR and approved by the Designated Competent Authority.

“Complaints Code of Practice” means

- the Complaints Code of Practice published by ORR, as amended from time to time.

“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.