

**Marcus Clements**  
Head of Consumer Policy



Marie Daly  
Managing Director  
Transport for Wales Rail Ltd  
By email

16 March 2021

Dear Marie,

**Approval of Complaints Handling Procedure (CHP) for Transport for Wales Rail Ltd (Condition 6 of the Station Licence and GB Statement of National Regulatory Provisions: Passenger)**

Following the change in licence holder from Keolis Amey Operations/Gweithrediadau Keolis Amey Limited (trading as Transport for Wales Rail Services) to Transport for Wales Rail Ltd, I can confirm that Transport for Wales' (TfW) revised CHP continues to meet the requirements of Condition 6 of your station licence and GB Statement of National Regulatory Provisions: Passenger (SNRP).

A copy of TfW's revised CHP is attached to this letter, and will be published on our website along with a copy of this letter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Clements', written over a light blue horizontal line.

**Marcus Clements**



Issued February 2021



TRAFNIDIAETH CYMRU  
TRANSPORT FOR WALES

# Complaints Handling Procedure

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## Introduction



Sometimes things may go wrong and we want to ensure it's easy for you to let us know when you are not satisfied, so we can improve our service to you.

We define a complaint as, "any expression of dissatisfaction by a customer or potential customer about service delivery or company or industry policy".

Our Complaints Handling Procedure is subject to approval by the Office of Rail and Road (ORR) in accordance with Section 6 of our GB Passenger SNRP and Station Licence. In accordance with this licence condition, we will consult with Transport Focus annually on the procedure and any amendments made subsequently.

All customer feedback is constructive and should be used to maintain and, wherever possible, improve the service and products offered. We will ensure that the process for contacting us is easily accessible, well publicised and easy to use.

## Confidentiality

We will respect confidentiality in line with data protection legislation, including the Data Protection Act and General Data Protection Regulation (GDPR). For full details please see our Privacy Policy on our website [www.tfwrail.wales](http://www.tfwrail.wales). We want to ensure that we handle every complaint in a timely manner so if you contact us but your complaint relates to the goods or services of another train operating company, then we will send your complaint on to them in a timely manner.

We'll let you know when we send it on and provide you with contact details for the train operator concerned.

We'll only divulge your personal data to a third party where we have a statutory duty to do so (e.g. to assist the police) or to assist our Debt Recovery unit.

In accordance with our policy, our responsibilities as an employer and data protection legislation, any action taken against an employee as a result of an investigation will remain confidential.

## The service



We run trains and stations across the Wales and Borders network and are in the process of creating the South Wales Metro; a £738 million scheme to transform rail travel across South East Wales. More details can be found on our website.

## Information accessible to all



We employ a team of dedicated Customer Relations staff, specifically for the purposes of receiving, investigating and responding to comments, complaints and suggestions.

We're committed to providing information in both Welsh and English. We operate a bilingual service across the following channels:

- responses to letters, emails, compensation claim and comments forms (excluding replies via third party sales channels)
- telephone calls to our Customer Relations department
- timetable information – via National Rail Enquiries Welsh Language Service (NRE)
- Twitter feed and replies to tweets posted on the TFW Rail Twitter.

If a member of customer-facing staff speaks Welsh, they will be able to deal with enquiries in Welsh. If this is not possible, please use the methods outlined below to contact us.

We'll make provision for you if your first language is not Welsh or English and reply in the appropriate language.

We're committed to meeting the needs of older and disabled passengers. We aim to ensure that carers, support workers and guardians are able to act on behalf of a passenger with the passenger's permission/authority. For more details on how we do this please see our Accessible Travel Policy.

If you would like this document in an alternative accessible format (such as Braille, large print or audio) please get in touch with us. Our contact details are at Section 11 of this leaflet.

Customers who are deaf, hearing and/or speech impaired can access our Customer Relations and Assisted Travel telephone helplines by Next Generation Text.

Our website (including the 'contact us' webform) is designed to be as accessible as possible. Please let us know if you experience any difficulties or access barriers.

## How to make a complaint



So that we can resolve matters swiftly when you contact us please provide where possible the information below including:

- date and time of travel
- stations you travelled to and from
- a copy of your ticket
- the key facts about the matter.

### In person

We would like to address complaints swiftly so encourage you to speak to a member of staff in the first instance to raise questions. We empower staff to resolve complaints through our "Think like a Customer" training.

However, if you are unhappy with the response or they're unable to resolve the issue, staff can provide you with the contact details for Customer Relations.

### By telephone - 0333 3211 202

The team is available from 0800 until 2000 Mondays to Saturdays, and from 1100 until 2000 Sundays. The office is closed Christmas Day.

Customers are advised to call NRE out of hours and that information is available on the website.

Calls to the 03 number are charged at a local rate when called from a landline or mobile phone.

### By customer comments/complaints form

Our comments/complaints forms are available on request from our ticket offices and responses sent to the Freepost address on the back of the forms. Customers on train will be directed to the website and/or station ticket office staff to ask for a comment form.

### By website

We've created a dedicated 'contact' page on our website, available in English and Welsh. This contact page will help you make a complaint, claim compensation for a delay, provide feedback or ask a question and guides you through the relevant steps.

## Social media

 **Twitter:** @tfwrail

**WhatsApp:** 07790 952507

We operate a live Twitter / What's App service between:

0700 - 2000 Monday to Friday

0800 - 2000 on Saturdays

1100 - 2000 on Sundays

Our Twitter / What's App service aims to keep our followers up to date with key service information and assist customers with their immediate travel plans. We do not use Twitter as a forum for making formal complaints, but we do monitor feedback received via this method as a way to drive continuous improvement. If you do make a complaint via Twitter, you will be directed to the contact page on our website where you can make a formal complaint.

  **Facebook and Instagram**

Using Facebook and Instagram is a great way for us to tell you about our latest offers and updates. However, it is not used for live customer service interaction. If you provide us with feedback on Facebook or Instagram and require a response, we ask that you contact us via one of our other contact channels.

## Response



### Normal response

We will answer 95% of comments and complaints within 20 working days and set a target of 90% to be answered in 10 working days.

- If you telephone us, we aim to address your complaint over the telephone. If this is not possible, we will give you a unique reference number and call you back within 3 working days. If further investigation is required, a full reply will be provided in 20 working days but we aim for 10 working days.
- If you provide an email address in your correspondence, we will acknowledge receipt (and provide a unique reference number) within 48 hours (Monday to Friday).
- For complaints received by post, webform or email, we will provide a holding reply within 5 working days if a detailed investigation is required. In that case, a full reply will be provided in a maximum of 20 working days but we aim for 10 working days.

These response times are provided on our website.

We'll make reasonable endeavours to ensure we meet our response times even when there is an unexpected increase in the volume of complaints received. However, if there are exceptional circumstances (such as a period of major disruption or a sudden or unexpected increase in the volume of complaints) we may increase our normal response times. We'll work closely with Transport Focus and the Rail Ombudsman if our response times are extended. We will also ensure we advise the ORR when we anticipate an increase to response rates and the steps we are taking to return to compliance. We'll notify customers via our website and direct correspondence if this is the case, whilst making every effort to respond to you as soon as we can. We'll provide a response to complaints that is:

- easy to understand
- consistent in approach
- makes use of the feedback from customers to improve the service offered.

When we have provided a full response and have no outstanding actions to perform, we will consider a complaint resolved unless we hear from you that you are dissatisfied.

### Escalation of Response

Some complaints require immediate escalation for a first response when the content of the complaint contains:

- details of personal injury or allegations of a safety breach
- allegations of serious or illegal misconduct
- matters relating to accessibility or disabled assistance
- where there is a serious risk to the reputation of the company
- matters relating to our Revenue Protection Policy and prosecution.

In the above circumstances, your complaint will be dealt with by a senior member of the Customer Relations team. All staff are trained to assess and act accordingly when a complaint needs to be escalated within the organisation.

## If you are dissatisfied

Where you are dissatisfied with our full response, we will:

- review your reasons for this and conduct further investigations if necessary
- escalate the matter to a more senior member of the team (if appropriate)
- provide a second full response, along with the contact details for the Rail Ombudsman and explain their role.

In the case of appeals involving the Rail Ombudsman, we will respond to them within 10 working days (up to 20 working days if the matter is complex).

## Frivolous and Vexatious complaints

We'll always do our best to bring customer complaints to a full conclusion. However, there may be occasions where we decide that we need to terminate contact with a customer regarding a particular complaint or decide that we will not respond to the specific points raised in the initial complaint. If our Customer Relations team believes that a complaint is frivolous or vexatious they will highlight it to the Head of Customer Experience or Customer Relations Manager who will decide the outcome.

The decision to categorise a complaint as frivolous or vexatious will only be taken by the Head of Customer Experience or Customer Relations Manager. The decision will be recorded in our Customer Relations Management system and relayed to the customer by the Head of Customer Experience or Customer Relations Manager with the contact details for the Rail Ombudsman.

## Third Party Complaints

We are happy to accept complaints submitted by third parties provided it is clear that the customer has consented to the party acting on their behalf. The response timescales explained above are triggered when we receive the complaint from the third party.

## Compensation



### Compensation for delays

Compensation for delays is outlined in our Passenger's Charter on our website: [www.tfwrail.wales](http://www.tfwrail.wales). Where a complaint relates to a delay we will ensure that our response provides details of compensation arrangements and how to claim.

### Forms of Compensation

Compensation for delay repay will be made using one of the following methods:

- **Bank Transfer:** Payment directly into your chosen bank account. We will ask you to provide the Sort code, Account number and Account name as part of handling your claim via a secure system.
- **PayPal:** you can now arrange a fast payment in to your PayPal account.
- **National Rail Travel Vouchers:** These are valid for twelve months and can be used to pay for rail journeys anywhere on the National Rail network.
- **Cash Voucher:** You can exchange Cash Vouchers for money at any TfW ticket office within 3 months of the date of issue. You will need to take identification that includes your signature i.e. bank card, driving license or passport.
- **Donate to Charity:** An option to donate your compensation to a charity is now available.

We will comply with the Consumer Rights Act 2015.

### Individual Claims

Individual claims for recompense will be dealt with in line with the National Rail Conditions of Travel and our Passenger's Charter, taking into account such factors as the nature of the complaint, the fare paid and any other extenuating circumstances. The National Rail Conditions of Travel and our Passenger's Charter can be found on our website. When we get back in touch with you, we will let you know if you have an entitlement to receive compensation, any further information we need from you to do this and ensure that this compensation is paid to you.

## Handling claims



Claims for losses, property damage or personal injury should be made in writing to our Customer Relations Team who will acknowledge receipt within five working days. Claims will then be dealt with in accordance with the Claims Allocation and Handling Agreement (CAHA) – more detail can be found in the National Rail Conditions of Travel.

### Lost property

We want to reunite you with your lost or mislaid items as quickly as possible. If you think that you've left something on one of our trains or at one of our stations, please contact us and we'll search all of the items handed in. To report a lost item please use the contact details on page 5.

## Complaints relating to other operating companies



### Individual train companies

If your complaint relates to another train company, we'll send your complaint to them and ask them to get in touch with you via your contact address.

### Several train companies

If your complaint involves several other rail companies or Network Rail, we'll send your complaint to them and ask them to get in touch. We'll let you know when we have sent the complaint. If your complaint involves a journey that features more than one rail company, we'll liaise with the other companies involved to ensure you receive a co-ordinated response.

### Other Third Parties

If complaints relate to other transport providers (e.g., a bus operator) we'll explain this in our reply to you and provide the contact address you need. If you ask us to do so, we will forward your complaint to them directly. If the complaint refers to another non-transport organisation, we will also explain this in our reply and try to provide you with the contact address you need. If you make a complaint which relates to a third-party supplier who is acting on our behalf (e.g., car park management, web support or suppliers of

rail replacement services) we will work with the provider to thoroughly investigate the details of your complaint and co-ordinate a response accordingly.

## Customer satisfaction



### Tracking our feedback

Customer insight is essential to improving our service. As part of our business wide commitment to “Thinking like a Customer” we will gather data from complaints, customer satisfaction research/surveys, National Rail Passenger Survey, online/in person customer panels, our Stakeholder Advisory Board, and Accessibility Group. This is reported to our Customer Experience Director on a weekly basis and will be provided every four weeks to our Executive Group.

We use these insights to inform strategy, make decisions and ensure continuous improvement in customer experience. Our staff performance is measured on an individual basis to properly understand future training and development needs. We know that our people are key to delivering the high standard of customer experience. We will learn from individual complaints to identify issues and systemic weaknesses.

### What happens if you are not satisfied with us?

Please give us the opportunity to try to resolve your complaint. If you're unhappy with the response you receive, you have the right to appeal to the Rail Ombudsman. The Rail Ombudsman is there to help resolve complaints and 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 contained in a letter or email (sometimes called a 'deadlock letter')
- we haven't resolved your complaint within 40 working days of receiving it
- no more than 12 months have passed since we sent you our final response.

There are some complaints that the Rail Ombudsman won't be able to look into, for example if it's about the way one of our services has been designed, industry policy, or if your complaint relates to an event which took place before the Rail Ombudsman service was established. If that's the case, then they'll contact you to let you know. If possible, they will transfer your complaint to another organisation that may be able to help you further, such as Transport Focus – the independent consumer watchdog for the rail industry. They will independently review your complaint and where appropriate, follow things up on your behalf.

### Other useful information

You can find more information on our policies for supporting older and disabled customers and practical information on planning your journeys on our website, ([www.tfwrail.wales/accessible-travel](http://www.tfwrail.wales/accessible-travel)).

## Review of procedure

Our Complaints Handling Procedure will be reviewed each year by the Customer Experience Director who is responsible for improving and transforming the customer experience. This will be carried out in consultation with Transport Focus. This Complaints Handling Procedure will not be altered without prior consultation with Transport Focus and prior agreement from the Office of Road and Rail.

## Contact details

### Web

[tfwrail.wales](http://tfwrail.wales)

### App downloads

Please search for TfW Rail app in your device's app store

### Social media

   @tfwrail

WhatsApp: 07790 952507

### Customer Relations department complaints and enquiries

Online: [tfwrail.wales/contact-us](http://tfwrail.wales/contact-us)

Phone: 0333 3211 202

0800 – 2000 Monday to Saturday including bank holidays

1100 – 2000 Sunday.

03 calls charged at local rates from a BT line

Post: FREEPOST -  
TFW RAIL CUSTOMER RELATIONS

### Delay Repay applications and refunds

Online: [tfwrail.wales/delay-repay-compensation](http://tfwrail.wales/delay-repay-compensation)

Post: FREEPOST -  
TFW RAIL CUSTOMER RELATIONS

### Assisted travel booking

Online: [tfwrail.wales/accessible-travel/booking-assistance](http://tfwrail.wales/accessible-travel/booking-assistance)

Phone: 033 300 50 501

Next generation text: 18001 033 300 50 501

### Lost Property

Online: [tfwrail.wales/lost-property](http://tfwrail.wales/lost-property)

Phone: 0333 3211 202  
and choose Option 5.

### Rail Ombudsman

Online: [railombudsman.org](http://railombudsman.org)

Phone: 0330 094 0363

Textphone: 0330 094 0363

 @RailOmbudsman

Email: [info@railombudsman.org](mailto:info@railombudsman.org)

Post: FREEPOST - RAIL OMBUDSMAN

### National Rail Enquiries

03457 48 49 50 (English Service - 24 hours a day, except Christmas day)

03456 04 05 00 (Welsh Service - 0700 – 2200, except Christmas day)

03456 05 06 00 (textphone – textphone enquiries can be made 24 hours a day, calls will be returned between 0900 and 1630, Monday to Friday)

All calls may be monitored.

