

Annette Egginton

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07 November 2016

Will Rogers
Managing Director
Arriva Rail London

Dear Will,

Approval of Arriva Rail London Limited (Trading as London Overground) Complaints Handling Procedure (Condition 6 of the Station Licence and GB Statement of National Regulatory Conditions: Passenger)

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

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

We welcome your commitment to respond to complaints within 10 working days, which we believe is likely to be positive for passengers.

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

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.

In the case of Arriva Rail London the relevant passenger body is London TravelWatch. 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 have now been finalised and we expect licence holders to abide by them in their handling of appeals.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Annette Egginton', with a stylized flourish at the end.

Annette Egginton

Complaints Handling Procedure:

Our commitment to putting things right



At Transport for London we are committed to providing a high-quality service to everyone we come into contact with. We appreciate that sometimes we may not meet your expectations, either through the planning or delivery of our activities. If so, we welcome your feedback and want you to tell us when things go wrong.

For us, a complaint is any expression of dissatisfaction with our service or policy. We will listen to all complaints, treat them seriously, resolve them as quickly as possible and learn from them so that we can continue improving our service.

This procedure has been updated in accordance with guidelines published by the industry regulator, the Office of Rail and Road (ORR), in 2015, as a condition of the operating licences for London Underground, London Overground and TfL Rail services.

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Core Standard 1: Feedback mechanisms and response

Promoting awareness

Understanding how we are performing is a key element in our process of continuous improvement. We will make it easy for customers to provide feedback on our services and encourage them to do so.

Details on how to contact our Customer Services team are displayed on:

- major customer publications;
- our website;
- posters displayed in passenger vehicles; and
- posters displayed at stations

Making it easy to contact us

There are several channels available for customers to contact us. We have given consideration to each of these options to ensure that concerns raised can be captured and handled in an effective and efficient manner.

Phone	0343 222 1234
Online	www.tfl.gov.uk/contact
TextPhone	0800 112 3456
Post	TfL Customer Services, 4th Floor, 14 Pier Walk, London, SE10 0ES

In person

Frontline staff are the first point of contact for immediate feedback on service performance. Staff members undertake customer service training and are provided with the tools and information to allow them to resolve issues on the spot whenever it is possible to do so.

Where a complaint requires investigation or a formal response, staff will encourage customers to contact the Customer Services team and provide them with the most appropriate channel for their needs.

Online

Our website includes clear and guided forms that allow customers to raise a complaint or enquiry, as well as a range of FAQs. Information on how to raise a complaint is available within two clicks from any part of our web site. We follow the guidelines for UK government websites by supporting W3C's Web Content Accessibility Guidelines 2.0 Level AA, and make the website adaptive for use on a range of devices and browsers.

We include a list of all available contact channels, including phone, TextPhone and postal options, for customers who wish to contact us by a different method. To improve the overall experience, we include the option number that needs to be selected when calling, allowing for a faster connection to our Customer Services team.

The web page also contains links to our Customer Promise, which details the service levels we adhere to, the process of how to complain and to whom, the information required when making a complaint, as well as the routes for escalation and appeal, including London TravelWatch and the Local Government Ombudsman.

Phone

We offer a local rate and easy to remember phone number that is included in a majority of call packages for landline and mobile providers. The Customer Services team is available 24 hours a day.

If for any reason the phone lines are not open, a recorded message is played giving details of opening hours and alternate contact options, such as the website. A TextPhone service is available on a Freephone number for customers with a hearing disability.

Post

A standard postal address is available for customers who prefer to write to us with their complaint, or for instances where they may need to send in supporting materials.

Social media

Our Facebook and Twitter accounts are increasingly used by customers to express real-time and informal feedback on our services. We actively monitor comments and aim to resolve and directly respond to issues when appropriate and practical.

Facebook: Transport for London

Twitter: @tfl

Where customer feedback through social media is determined to be an issue that needs a more formal response, customers will be directed to our Customer Services team in order to make their complaint.

We proactively publish links on social media advising customers of the complaints process. Where there is an occurrence that is likely to create service delays, we also publish links for our refunds process.

Respecting the customer

We strive to provide a transport service that caters for all users, regardless of their circumstance. Our customer service proposition follows the same ethos and we will ensure that all customers have an equal opportunity to put forward their concerns.

Whenever possible, we will respond to a customer using their preferred contact method. The use of large print, audio and other forms of accessible communication methods will be made available where practical. The use of PDF files allows us to provide text search, screen enlargement and 'read to me' services for customers.

We maintain a register of different languages spoken by Customer Service staff and, where possible, will use this to assist in responding to customers for whom English is not their first language.

We appreciate that not all customers are able to act on their own behalf. In line with our data protection policy, we allow carers or guardians to act or advocate for customers with their permission.

Accessibility

Customer Services staff are trained and enabled to assist those with a diverse range of needs. To support and encourage this, we have a network of Accessibility Champions who take a proactive stance in promoting good practice amongst their peers and collaborate with other departments to ensure the customer voice is heard.

We provide a separate email address (tflaccessibility@tfl.gov.uk) that allows us to quickly identify and respond to enquiries and complaints from disabled customers.

Respecting customer privacy

Data protection

All information we collect and store during the process of handling a complaint is done in adherence with the Data Protection Act 1998.

Our Privacy and Data Protection Policy covers our commitment and adherence to:

- The Information Commissioner's guidance documents and Codes of Practice;
- the Payment Card Industry Data Security Standard (PCI DSS);
- TfL's Information and Records Management Policy;
- TfL's Information Security Policy; and
- TfL's Code of Conduct

In respecting a customer's right to privacy, we will:

- ensure that personal data is processed fairly and lawfully;
- collect only relevant and adequate personal data to allow us to investigate a complaint;
- take measures to ensure the integrity and security of the data we process;
- inform them of any requirement to share their data and seek their permission to do so;
- ensure that all Customer Services staff undertake annual refresher training on data protection and privacy.

Response times

We value customer feedback and appreciate the efforts made by customers who have taken the time to contact us. We will respond to complaints in a timely manner.

All complaints will be acknowledged within 48 hours and a full response will be provided within 10 working days. In the event that more time is required, the customer will be informed of:

- what is happening with their complaint;
- how long it will likely take for the response; and
- the name and contact details of the person dealing with the complaint.

Customers will be given an outline of the complaints procedure when they first contact us, including the standard for response times. This may be in person when contacting us by phone, or by an automated acknowledgement for online and email enquiries to publicised addresses.

Customers will be provided with a reference number for each case.

Exceptional demand

We forecast and monitor demand for our Customer Services team on an intra-day basis. In exceptional circumstances, we may not be able to achieve ORR's required level of responding to 95% of complaints within 20 working days.

Should this occur over a period of more than one month, we will implement a process of reasonable endeavours to maintain service standards, as well as:

- notifying the ORR and London TravelWatch within two weeks of such action as to the nature of the event, our mitigating actions and expected timeframes for returning to normal service standards; and
- notifying customers through our web page as to the nature of the event and our amended response standards.

Providing a resolution

We aim to provide a full and fair investigation of all complaints.

In order to do so, we will:

- identify the key issues that have been raised by the customer and address each one in turn;
- look at the context and intent of the complaint to confirm whether there are any unstated issues that need to be addressed;
- gather, check and review evidence to allow us to establish and corroborate the facts of the complaint;
- investigate the reasons why the issue has occurred;
- identify any recurring or root causes; and
- consider the most appropriate form of resolution and response.

We will respond to customers using their preferred channel where possible and will provide a full written response in plain English. All Customer Services staff are trained and have guidelines in the use of tone and voice when crafting a response. To maintain and improve the standard of our responses, regular quality assessments are undertaken by team managers.

Getting it right first time

Our Customer Services team are focused on the importance of responding individually and empathetically to each customer's circumstances. We have empowered our staff to use their initiative and explore all avenues, including the use of gestures of goodwill, in order to provide a quick and acceptable response to customer complaints.

Further investigation

In certain cases, we may need to investigate issues that require more than one response from us. Where we have provided a second full and substantive response to a customer, we will include the details for London TravelWatch, even where we are still actively working towards a resolution of the complaint.

Complaints involving multiple licence holders

Where a complaint involves services not directly under our licence, we will liaise with relevant Operators to obtain the information we need in order to resolve the issue. In situations where the interest of the customer would be better served by having the complaint resolved directly by the third party, we will inform them of our decision and seek permission to share the relevant details of their complaint in line with our Privacy and Data Protection Policy.

Staff privacy

Where a complaint relates to an individual member of staff, the details of any action taken against them remains confidential within the bounds of the Data Protection Act 1998 and will not ordinarily be disclosed.

Compensation

Where the complaint involves a refund for service delay, we will provide compensation in line with the Transport for London or National Rail Conditions of Carriage, whichever is greater. Claims for payment due to delayed or cancelled services are not considered as a complaint and will be recorded and monitored separately to this procedure.

Unreasonable and unreasonably persistent complaints

We will actively seek to find a full and fair resolution to all complaints received. However, where a customer's complaint is unreasonable, or they are unreasonably persistent in pursuing either an open or resolved complaint, we reserve the right to restrict or cease their communication with us.

Such action will be taken as a last resort and is covered in full by our Unreasonable and Unreasonably Persistent Complaints policy.

Any actions taken under this policy will include:

- full communication with the customer as to why the action is being proposed or implemented;
- authorisation and review by a business-level manager;
- documentation of the situation and actions taken; and
- notification to the customer of paths to appeal, including London TravelWatch and the Local Government Ombudsman.

Except in extreme cases of deliberate and vexatious communication, each new and unrelated complaint from a customer who is being managed under this policy will be treated on its merits.

Escalations and Appeals

Whilst the majority of customer complaints can be resolved by Customer Services staff, there are instances where the process may need to be reviewed by a team manager or independent adviser to ensure the thoroughness and suitability of our investigation.

Escalations

Escalation of a complaint may occur where:

- it is requested by the customer;
- the customer is aggrieved with the process or response;
- it involves a serious or exceptional incident involving injury, or a vulnerable member of the public;
- it involves a serious reputational risk to the organisation;
- it has underlying health and safety implications;
- it is politically sensitive or newsworthy;
- it is from a customer being managed under the Unreasonable and Unreasonably Persistent Complaints policy; or
- it relates to an exceptional matter involving the Mayor, Transport Commissioner or company Director.

Where a complaint has been escalated, we will:

- pass the complaint to a Customer Services team manager who will review the complaint in its entirety and respond within 10 working days. Should further time be required, the manager will contact the customer advising them of the reason and likely timeframe for response.

Complaints may be directly escalated to any stage of the process dependent on the context. The escalation of a complaint is part of our internal process and does not impact the customer's rights to engage with London TravelWatch or the Local Government Ombudsman in pursuit of resolution.

Appeals

Customers who are not satisfied with our resolution or response to their complaint may refer the issue to London TravelWatch or the Local Government Ombudsman. We provide the contact details for these organisations within the second substantive response to a complaint, as well as on our web site.

We have a protocol in place with London TravelWatch that covers our response times and appeals case management process.

Alternative Dispute Resolution

In line with our obligations under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulation 2015, where we are unable to resolve a complaint, we will provide customers with the details for the relevant ADR body, the Consumer Ombudsman (www.consumer-ombudsman.org). We will also advise that we are not obliged to use the ADR process and direct them instead to London TravelWatch.

Freedom of information

Requests for data we hold can be made via email: foi@tfl.gov.uk
Full details are available on our Transparency page:
www.tfl.gov.uk/corporate/transparency/

London TravelWatch is the official watchdog organisation representing the interests of transport users in and around the capital. It is sponsored and funded by the London Assembly, which is part of the Greater London Authority, and is independent from the transport operators. They can assist with complaints about transport in London when the service provider has not satisfactorily resolved them.

Phone 020 3176 2999 (09:00 – 17:00, Monday to Friday)

Online www.londontravelwatch.org.uk/complaints/online

Email enquiries@londontravelwatch.org.uk

Post London TravelWatch,
169 Union Street,
London, SE1 0LL

The Local Government Ombudsman provides a free, independent and impartial service regarding complaints about the administrative actions of councils and some other authorities, including Transport for London.

Phone 0300 061 0614 (08:30 – 17:00, Monday – Friday)

Online www.lgo.org.uk/making-a-complaint

Post The Local Government Ombudsman,
PO Box 4771,
Coventry, CV4 0EH

Core Standard 2: Structures, people and processes

Organisational structure and people

As an organisation, we place customers at the heart of everything we do. Our commitment is evidenced through the deployment of a professional, well-trained and supported network of staff, empowered and enabled to deliver excellence as a standard.

Frontline operational staff

Frontline staff have regular and on-going interaction with managers, both in terms of personal performance and development, as well as operational reviews and quality assurance. All staff are trained and have access to the information and processes to enable them to assist customer enquiries at point of origin, as well as the details of alternate support options including the formalisation of complaints.

Customer Services team

Complaints and investigations are handled by our in-house team. We maintain a high standard of service through a combination of recruitment, induction, training, engagement, motivation and quality assurance activities.

There is daily interaction with team managers and business-level performance managers, ensuring that feedback and awareness of customer issues is captured and reviewed without delay. Senior managers, including the Head of Contact Centre Operations, Customer Experience Director and Managing Director hold regular open forums with the team.

Training and development

Supporting the Customer Services staff are teams focusing on:

- learning and development;
- knowledge and engagement;
- quality; and
- resourcing and scheduling

These teams provide a centralised and calibrated approach that ensures a consistency in standards and the ability to identify and act upon elements of performance improvement. Key activities delivered by these teams include:

- bespoke training programs for induction, development and operational awareness;
- central knowledgebase for procedures, news and information that ensures a consistency in approach and a timely distribution of updates regarding situations that may impact operational performance and customer satisfaction;
- publication of quality standards, frameworks and best practice guides; and
- effective distribution of staff resource to ensure response times are met whilst allowing for support, training and development activities.

All complaint-handling staff are trained and monitored on their customer service, complaint investigation and resolution skills. Regular performance reviews allow for the identification of coaching and training opportunities to improve skills and knowledge.

Processes and protocols

Record keeping

Complaints are collated centrally on our Customer Relationship Management (CRM) system. Data is retained in line with our corporate information and records disposal schedule, which conforms to the requirements of the Data Protection Act 1998.

We retain complaint data in electronic format. Records logged on the CRM are held for a minimum period of three years. This includes full details of the customer, nature of the complaint, and a record of all contacts received and responses sent.

Aggregated data that contains no personally identifiable information may be held for a minimum of five years in order to identify trends in complaint volumes and categories.

Complaint data will be maintained in a format that allows for analysis of service improvement opportunities and fulfilment of regulatory reporting requirements.

Quality control

We implement a range of measures to ensure the quality of our communication with customers is of a high standard, including:

- the use of style guides and adviser self-assessment checks;
- scheduled call recording, monitoring and quality audits;
- scheduled correspondence reviews for structure, tone and suitability of proposed resolution;
- intra-day monitoring and coaching; and
- external audit programs.

We undertake over 500 phone, correspondence and 'mystery shopper' quality checks each four week period and use a system of reward and recognition to encourage consistent good performance.

Identification of systemic weaknesses

We monitor and analyse the volume and type of complaints on a periodic basis to identify any underlying issues that have emerged. Where these pertain to the complaints handling procedure, we will look to implement changes in line with ORR guidelines.

We provide feedback to internal stakeholder groups allowing them to incorporate intelligence gained from customer complaints as part of their service improvement processes.

We distinguish complaints as being a notice of customer dissatisfaction that specifically asks for or requires a direct response from us. Feedback from customers that does not require such action is still collated and used alongside complaints data to review and improve performance.

Where a complaint pertains to an individual member of staff, we will consider the context and contributing factors to examine if there are broader issues that need to be addressed to improve performance.

Complaints pertaining to health and safety issues will be reviewed in line with our Health, Safety and Environment policies. Where an allegation of injury is received from a customer, consideration will be given for the reporting of the incident under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

Complaint service standards

We adhere to a set of standards that customers can be assured of when they make a complaint:

- the complaint handling process is embedded in our culture and subject to high level governance;
- the complaints process is accessible and easy to use;
- complaints will be fully and fairly investigated by trained staff;
- we will aim to respond in full to complaints within 10 working days wherever possible;
- we will keep customers informed of the progress and outcome of their complaint;
- we will respond to all points raised and seek to resolve the issue to the customer's satisfaction;
- we will inform customers of their right of appeal with London TravelWatch or the Local Government Ombudsman
- we will monitor trends to identify and address any systemic issues; and
- we will learn from the issues raised in complaints and use these to drive performance improvement.

These standards are reflected in our Customer Promise document, which is available on our website.

Core Standard 3: Organisational culture

High-level visibility and governance

We are a customer-focused organisation that utilises feedback to help drive improvements in our performance. This commitment springs from two of our core strategic pillars:

- Customers - the heart of our business: putting customers and users at the centre of everything we do;
- Our People - dedicated to customer service: valuing our people, being accountable, actively seeking solutions and working with others directly, fairly and consistently.

In particular, the values of being accountable, active, fair and consistent are direct drivers in our commitment to providing a robust complaint handling procedure.

Customer satisfaction and complaints data are published as key business metrics in our Quarterly finance, investments and operational performance report. These are reviewed at board level and available on our website.

In addition, the senior leadership team have a full overview of the complaints process, volumes, trends and underlying causes of complaints across the organisation.

Learning and improving

To ensure we remain competent and focused in handling and resolving customer complaints, we conduct a range of activities including:

- engaging with industry peers to collaborate on elements of best practice, including participation in the annual Top 50 Contact Centre benchmarking programme;
- participating in mystery shopper programmes; and
- major internal campaigns to enhance writing and first-time resolution skills with complaint handling staff.

As an organisation, we strive to deliver a safe, reliable, efficient and inclusive transport network. Learning from complaints is a key factor in achieving this and we are committed to doing so.

For more information on what we do and our commitment to customers, visit: www.tfl.gov.uk/corporate/about-tfl/

Document control

This document will be reviewed annually in March and authorised by the CCO Customer Support Manager. Updated: November 2016

Links

Help and contacts (including Customer Promise):

www.tfl.gov.uk/help-and-contact/

Freedom of Information requests:

www.tfl.gov.uk/corporate/transparency/

National Rail Conditions of Carriage:

www.nationalrail.co.uk/times_fares/46427.aspx

Privacy and data protection policy:

www.tfl.gov.uk/corporate/privacy-and-cookies/

Quarterly finance, investment and operational performance reports:

www.tfl.gov.uk/corporate/publications-and-reports/quarterly-progress-reports

Social media policy and house rules:

www.tfl.gov.uk/corporate/terms-and-conditions/social-media

Transport for London Conditions of Carriage:

www.tfl.gov.uk/corporate/terms-and-conditions/ticketing-and-travel-conditions-of-carriage

Unreasonable complaints policy:

www.tfl.gov.uk/corporate/publications-and-reports/complaints-policy

