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Rosie Clayton  
Competition and Consumer Policy  
Office of Rail Regulation  
One Kemble Street  
London  
WC2B 4AN

**By Email**

22 July 2015

Dear Rosie

[Consultation on draft guidance for complaints handling procedures for licence holders 2015](#)

Abellio ScotRail Ltd (ScotRail) welcomes the opportunity to respond to ORR's consultation on the proposed guidelines for Complaints Handling Procedures and recognises that the response provided in February 2015 has been taken into account in the revised guidelines.

We have structured our response on each element of the guidelines in the Appendix to this letter based on the numbering system for questions used in your consultation.

You will note that due to the change in franchise from April 1 2015 the consultation document was not received by the appropriate contacts within the new franchise until 23 June 2015 however feedback has been provided by the relevant parties . This response is provided by Linda Gallacher, Head of Customer Service Delivery as process owner for Complaints within ScotRail and the feedback provided represents the views of the organisation.

Yours sincerely

Linda Gallacher  
Head of Customer Service Delivery & Standards  
Abellio ScotRail

### **Question 1**

**Do you agree with our overall purpose and scope? In particular, do you think that we have distinguished feedback from complaints as helpful?**

We agree with the approach to distinguish feedback from complaints and the overall approach to purpose and scope.

### **Question 2**

**Do you agree that the licence holder should coordinate responses relating to third party suppliers? Please indicate in your response what the current practice is and identify any challenges arising from this proposed requirement. Do you agree with our reasoning? Are there any other categories of third party supply that you consider should be explicitly covered within this obligation?**

We agree that ScotRail should co-ordinate responses relating to third party suppliers where we have contracted with that supplier. For example a car park contracted by the TOC is the responsibility of the TOC. However, where a complaint is received relating to an independent third party supplier or tenant eg a car park not contracted by the TOC, we would expect the third party supplier to respond to the complaint where the complaint is solely about that supplier.

Our current procedure is to respond to the customer addressing any comments that relate to ScotRail and Network Rail. Where the correspondence relates to a third party in full or in part, this is currently passed on to and the details are provided to the customer. Whilst these volumes are very low for ScotRail we will amend our procedures to meet the new guidelines. You will note that we aim to respond to complaints within 7 days. If this service level is impacted by delayed responses by third parties we would expect to review our procedures again.

The TOC is responsible for the overall customer experience and we therefore agree that by fully understanding issues impacting on customers we will be better placed to address reasons for dissatisfaction.

### **Question 3**

**Do you agree that the three core standards form a reasonable basis from which licence holders can develop complaint handling procedures?**

We agree with the 3 core standards proposed and welcome that they provide sufficient guidance without being over prescriptive. We have commented below on each core standard where appropriate:

Core Standard 1: Feedback mechanisms and response

3.6 ScotRail do not currently advise Alternative Dispute Resolution (ADR) bodies so this would need to be an amendment to current publications and responses.

3.9 Complaint access routes – ‘in person at station or designated customer information point/contact point’ is not considered a method of formal complaint process as set out in 2.10. This route should therefore be removed.

3.10 Customer facing staff including sub-contracted staff are trained to assist customers to resolve complaints on the spot where possible. Where not possible, they are trained in providing the various routes to formalising a complaint. It is not procedure for front line staff to ‘pass on’ complaints which we understand the implication to be taking details on behalf of the complainant and passing them to a complaint handler/customer relations. We require clarification on this point.

#### **Question 4**

**Is the guidance around ‘Conducting a full and fair investigation’ and ‘Effective response and resolution’ helpful and/or sufficiently clear?**

We agree with this approach and would be keen to share with you our new format for complaints responses which sets out the information for the customer in an order which is easily understood and which gives relevant information not only on the resolution but on the investigation itself.

ScotRail format for complaints responses:

- Paragraph 1 Remedy or resolution
- Paragraph 2 What went wrong / the cause
- Paragraph 3 What we did to investigate this and our findings
- Paragraph 4 How we prevent it happening again

#### **Question 5**

**Do you consider that a CHP should contain a requirement to have an appeal protocol with PF and LFW?**

We welcome this protocol as it is vital to deal with appeals promptly and efficiently. There is a higher level of customer frustration and/or expectation at this stage of the complaint process and specifying recommended response times will provide clarity for customer and for TOC/TF. The concern here is the complexity of information required for appeals but this is reflected in the recommended 20 days timescale. We note that a point of contact is a member of staff and would suggest that this is a specific mailbox which can be accessed by a number of people to take account of staff leave/unavailability.

#### **Question 6**

**Are you aware with the ORRs minded proposal to drop two previous requirements?**

We are not aware of these however they may be a recent amendment and as mentioned in our covering letter there has been an oversight with some correspondence sent or received due to the change in franchise. We agree with these changes and expect that any significant lengthening of responses will be reflected in the periodic ORR report provided.

#### **Question 7**

**Do you believe our proposed monitoring activities will be effective in ensuring compliance with the obligations?**

We believe that the proposed measures will sufficiently monitor compliance and the addition of the ORR research will be a key input to this. There are no further additions that we would recommend.

### **Question 8**

**We ask for comments on our initial approach and its impacts including both any costs and benefits that we do not identify?**

Due to the shorter timescales for consultation available to us, ScotRail will need to work through the new requirements and identify where changes are needed. There will be amendments to publications, system updates, staff communications, policies and procedures and we intend to document these as Controlled Changes to our Complaints Process. We will share this with you by 31 August 2015. We have also committed to reviewing our CHP within 6 months of the franchise start date which will reflect these new guidelines.