

ORR's workshops 13 March 2014

- Complaint handling & helping disabled people use our railways

This note sets out the main themes and issues arising from ORR's March 2014 workshops exploring our approach to regulation of complaint handling and empowering disabled people to confidently use our railways.

1. In October 2013 ORR took responsibility for the regulation of train and station operators' complaint handling and policies aimed at protecting the interest of disabled rail travellers. These are set out formally in the licence conditions of operators as Complaint Handling Procedures ('CHP') and Disabled People's Protection Policy ('DPPP'), and regulated through ORR's role as safety and economic regulator for the rail industry. Further information on ORR's role and its regulatory approach can be found on our [website](#).
2. We organised two half day workshops held on the 13 March 2014 to explore how well the current system worked in each case and how ORR could best meet its responsibilities to approve and monitor operators' conduct when meeting these obligations. The workshops were well attended, with representatives of train and station operators alongside passenger and disabled people's representative groups, complaints ombudsmen and economic regulators covering other industry sectors. Participants worked together to consider a number of discussion questions, sharing their conclusions with everyone present. We set out a summary of these discussions here.

Rail passenger complaints handling: from process to culture

3. There were mixed views of whether an industry 'one size fits all' approach to developing CHPs would be helpful. Some were of the view that individual operators should be able to reflect their own particular circumstances or services in their procedures. Others considered that differences across operators caused difficulties for customers and it would be desirable for there to be either some core standards or a degree of uniformity.

4. There was a wide range of views on whether it was sufficiently straightforward and clear to customers on how to make a complaint. Some participants considered that existing arrangements made it easy for customers to complain or provide feedback, particularly with the many communication methods that are now typically available. It was also noted that much of the feedback received by operators was broader than just complaints and there was a view that the CHPs needed to recognise this.
5. The current CHP guidance to operators was recognised as having some useful elements (such as the guidance on managing complaints that fall between operators), but needed an update. For example, it did not recognise social media. The current 'passenger-facing' role of the CHP was also queried given that most operators had Passenger Charter documents that, amongst other things, also set out arrangements for making a complaint.
6. In respect of how complaints handling was monitored:
 - a. it was considered important for the information used to monitor complaint handling to include qualitative as well as quantitative elements, with a number of operators keen to provide commentary or explanation to accompany any performance data (particularly if additional data is published);
 - b. it was noted that the type of data collected can affect an operator's behaviour; it was important that this did not drive a 'tick-box' approach, with operators instead encouraged to resolve complaints successfully from the complainants' perspective. For example, there were concerns that maximum response times affected the quality of responses (though some felt that these were still an important element of complaint handling procedures); and
 - c. there was a widespread view that there needed to be a focus on outcomes, such as satisfaction with how complaints were managed and proportion or number of complaints resolved or closed. Some participants considered that it would be beneficial to have a greater link to, or measure of, how operators' had responded to complaints overall or made improvements following complaints.

Helping people use our railways: empowerment and awareness

7. The discussion groups focused on the quality of the assistance available, in particular the arrangements for the Passenger Assist system, and how awareness of the assistance can be improved to enable more rail journeys to be made confidently.
8. It was noted that accessibility improvements at stations were important to enable independent journeys and there was a continuing programme of investment for this. More generally it was felt important to ensure that the perspective of disabled users was taken into account in station design.

Provision of assistance

9. A wide range of participants considered that assistance worked well in the majority of cases. It was considered to be most successful, either where a disability was easily recognised or passengers had built rapport with station and train staff to assist on a regular journey.
10. However, it was noted that things still went wrong and it was emphasised that confidence of travellers can be quickly undermined by a poor experience. Where things did go wrong, it was suggested that there was often little in the way of contingency. It was considered essential for staff to be empowered to act on their initiative to find solutions and have the support of management for this. It was also felt important for there to be an industry focus on addressing issues with the reliability of the system.
11. Participants identified some weaknesses in the current system:
 - a. Communication within, or between, operators to ensure that passengers receive a continuous service was not always effective;
 - b. Assistance was vulnerable to service delays or disruptions, which could make it difficult to deliver a continuous service;
 - c. There was a recognition that the assistance available did not work as well for those with less visible disabilities; and
 - d. Some operators noted constraints that affected their ability to provide assistance on a day to day basis, such as the number of available wheelchair spaces on their trains and number of staff at stations.

12. Some user groups noted that the way that assistance was supplied, in particular Passenger Assist, varied across operators. This made it difficult for passengers using more than one operator. Different DPPP documents and approaches to service provision by operators for what was essentially a national system were also considered to be confusing and unhelpful for passengers. It was suggested that operators' websites could be more accessible, perhaps with a generic icon on homepages linking to relevant information for disabled travel.
13. There was criticism (mainly from operators) of the arrangement in the existing DPPP guidance requiring an annual printed guide for passengers, which was considered costly and not particularly helpful to those needing this information. It was noted that changes to station layout, accessibility adaptations, or other necessary information changes throughout the year and was made available online or from staff.
14. In carrying out its monitoring role, it was suggested that ORR needed to be mindful of not issuing detailed directives or adopting a tickbox process approach, which could undermine industry leadership and initiative. As such, teasing out the culture/approach of train operators was considered important. It was also felt that any statistics on operators' performance needed to be meaningful, comparable and accompanied by qualitative information and a commentary to provide context.

Awareness

15. Good practice by some operators to promote rail travel by disabled people was noted, including "try the train" days and free-trial weekly rail passes. However, there was a recognition that more could be done across the industry to improve awareness of the assistance available. It was also felt that along with operators, groups representing disabled people had an important role to play in promoting awareness of the facilities and assistance available.
16. It was noted that stories of things going wrong tended to overshadow the more numerous positive experiences of travel by rail, which could be discouraging for potential disabled passengers. It was suggested that the good stories needed to be brought out and that ORR could play a role in this through any reports that it issued on DPPP performance.