

Stephanie Tobyn
Deputy Director, Consumers
E-mail: CHP@orr.gsi.gov.uk



17 August 2018

David Horne
Managing Director
London North Eastern Railway Limited
[By Email]

Dear Mr Horne,

Approval of London North Eastern Railway Limited's 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 approved 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 CHP meets the requirements of Condition 6 of your station licence and GB Statement of National Regulatory Conditions: Passenger (SNRP).

We welcome the following, which we believe are likely to be positive for passengers:

- Your 'Meet the Manager' sessions which are held on trains and stations along the route, allowing customers to share their feedback and suggestions with local and senior managers;
- Your acceptance of complaints made on behalf of passengers by a third party intermediary; and
- Your aim to respond to passenger complaints within 10 working days.

Since your CHP was originally submitted to ORR we have had several exchanges in the intervening period in order to bring about the changes required to make it compliant with the Guidance.

The main areas where you clarified your policy during our review were:

- 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 Transport Focus and London TravelWatch are also given.

- You have said 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. Where a complainant does contact Ombudsman Services you have an arrangement in place whereby they will be referred to the relevant passenger body.

As you know, we are currently consulting on the introduction of a Rail Ombudsman and will discuss any amendments which may be required as a result to operators' CHPs in due course.

Yours sincerely,

A handwritten signature in black ink that reads "Stephanie Tobyn". The signature is written in a cursive, flowing style.

Stephanie Tobyn

Customer Complaints Handling Procedure

Handling your complaints
on our east coast route

June **2018**



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WELCOME

Welcome to London North Eastern Railway (LNER). This Customer Complaints Handling Procedure explains how we differentiate between feedback and a complaint, our monitoring and reporting arrangements, how we use feedback and complaints to improve our services and how we develop our teams managing such contacts.

For details about how to submit a complaint and an explanation of that process, please refer to our policy document 'How we will deal with your complaint' which is available from all staffed stations our trains call at or from our website LNERailway.co.uk

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COMPLAINT OR FEEDBACK

A complaint is defined as; "any expression of dissatisfaction by a customer or potential customer about service delivery by the company or its agents, and/or about company or industry policy". We classify any comments that meet this definition as a complaint.

Our customer services team receive training on how to correctly log a complaint on our system and that includes how to separately classify a complaint and feedback. Both our customer services and social media teams are trained to probe further when they receive negative feedback to help determine whether these communications are complaints.

All complaints and feedback are gratefully received and used to help improve our services. This policy document explains specifically how we process complaints.

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PUBLICITY

Customer information notices are displayed in each LNER train. The notices contain a LNER route map and contact details of our customer services team and of Transport Focus and London TravelWatch.

Our Timetable booklets contain advice on how to make comments and complaints, and also include details of Transport Focus and London TravelWatch. These are available from every staffed station where our trains call.

Our website, LNERailway.co.uk also has full details of the complaints handling process as well as all the relevant contact details you may require.

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MONITORING AND REPORTING

MONITORING

Calls and correspondence dealt with by our customer services team are regularly monitored by dedicated Quality Managers within our customer contact Centre on an ongoing basis. Each customer services representative within the team will have an average of 2 cases monitored every week. This is to ensure all complaints are handled in a friendly and personal manner, all points raised are suitably addressed and any compensation is awarded in a consistent way.

Later in the year we will be introducing Customer Feedback Surveys which help us understand and improve all channels where we interact with our customers, including the processing of complaints and feedback.

Our customer services team have internal targets to deliver an excellent service to our customers and we monitor these targets at management review meetings every four weeks. Our response times range between 3 and 10 working days, they vary depending on the volume and complexity of the correspondence received.

REPORTING

We always welcome complaints and feedback from customers. Our Customer Experience Management team, within which our customer services team sit, share the information throughout our management team to help inform decisions made to make changes and improvements to our service. We use the information for

our managers to cascade key messages to their teams, specifically in relation to local issues so our people are empowered to make the changes to benefit customers from local communities.

Our frontline managers receive daily reports on complaints relating to onboard catering (including the catering teams), guards, cleanliness and station people. This allows us to investigate and resolve issues promptly and facilitates a culture of continuous improvement.

Every four weeks we provide comprehensive reports which contain all complaints, praise and suggestions made by customers within the previous period. This helps locally with strategy planning and decision making to improve our customer experience.

A summary of comments and complaints is also provided to our Customer Experience Board to help inform strategic decisions made across the business. This board is chaired by our Customer Experience Director and has senior leadership representation from across the company.

The information also forms part of the Customer Experience Board report, which is submitted to our board of directors every four weeks to ensure the information reaches all levels of the organisation.

Finally, every four weeks we submit a report or provide information to the Department for Transport, the Office of Rail and Road, Transport Focus and London Travelwatch which details such things as the quantum of complaints, complaint categories and our performance in dealing with them, as measured by such things as response times.

Where there is a sudden or unexpectedly large increase in the volume of complaints meaning the 10-working day target to process complaints is at risk, we will inform the Office of Rail and Road, Transport Focus and London Travelwatch. Within this notification we will include the reason for the increased correspondence, any mitigation plans, the procedures to ensure the quality of responses is maintained as well as any steps taken to advise our customers.

While our aim is to respond to all correspondence within 10 working days, in line with the guidance issued by the ORR, we are committed to responding to at least 95% within 20 working days.

When we receive a complaint that cannot be resolved face to face or straight away by our Social Media team, we record the complaint and contact details on our dedicated Customer Relations Management (CRM) system. Electronic records will be retained for 6 years and hard copies, such as written lett

TRAINING AND DEVELOPMENT

We are committed to ensuring our people have the knowledge, skills and are empowered to deal with a complaint about our services. Customer service training is provided in a regular and structured way and we only recruit individuals that have the right skills and behaviours.

In addition to the ongoing training for all our customer facing people, where policies or process change or where we have identified a training need, additional action will be taken. This may include additional training or briefing either for a specific team or just an individual.

Our customer services team, who handle all our complaints, receive specific training on our Regulated commitments such as those detailed in this procedure, the Passenger's Charter or our DPPP. This is in addition to more tailored training such as letter writing, complaints investigation and resolution skills.

REVIEWING THIS POLICY

This policy will be reviewed annually and or more frequently changes made when appropriate. Any proposed changes will only be made when approved by the regulator, the Office of Rail and Road, following consultation with Transport Focus and London Travelwatch. Contact details for these three organisations are as follows:

Transport Focus

Freepost RTEH-XAGE-BYKZ

PO BOX 5594

Southend on Sea SS1 9PZ

Telephone: 0300 123 2350

Fax: 08458 501 392

Email: advice@transportfocus.org.uk

Website: transportfocus.org.uk

London TravelWatch

169 Union Street

London, SE1 0LL

Telephone: 020 3176 2999

Fax: 020 3176 5991

Email: enquiries@londontravelwatch.org.uk

Website: londontravelwatch.org.uk

Office of Rail and Road

One Kemble Street

London

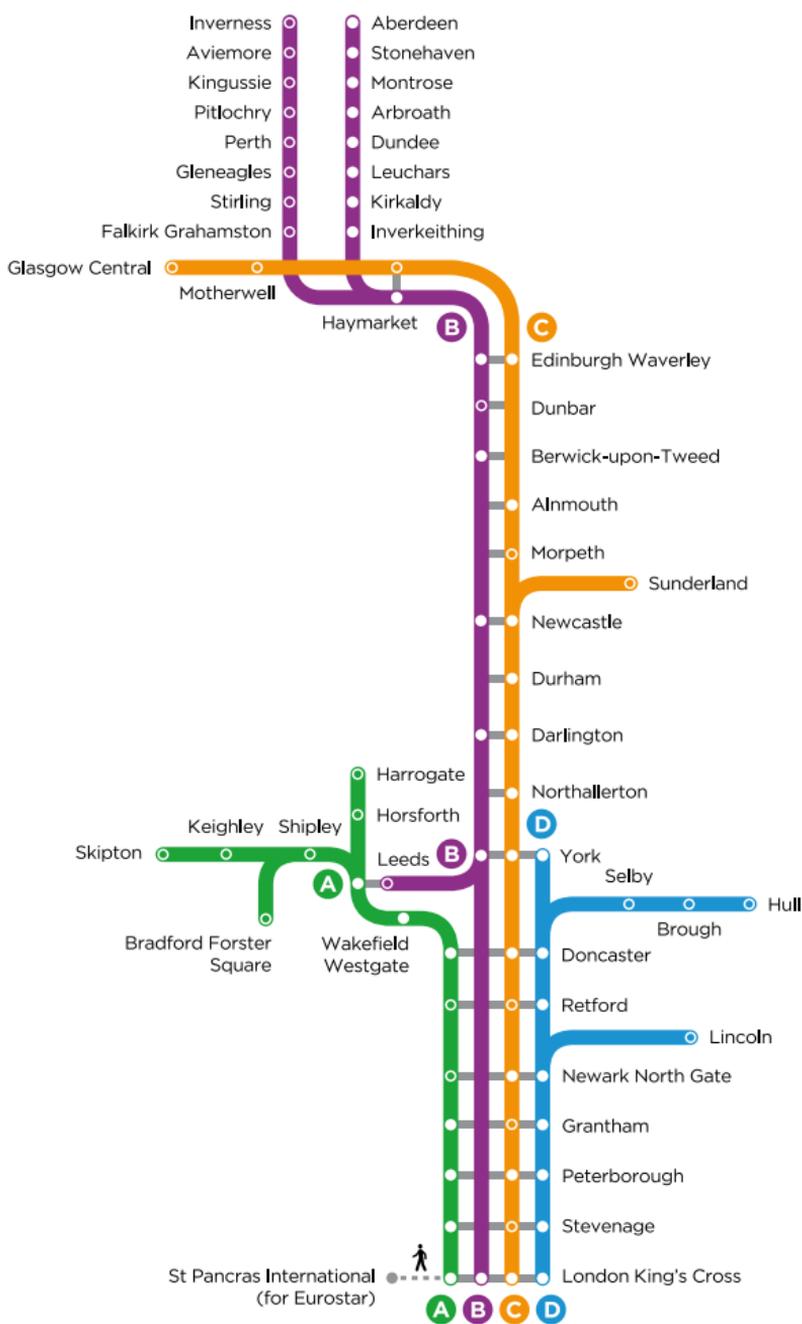
WC2B 4AN

Telephone: 020 7282 2018

Email contact.cct@orr.gsi.gov.uk

Website orr.gov.uk

LN ER WEEKDAY SERVICE



A LEEDS services and West Yorkshire Services

B EDINBURGH express services (calling at selected stations only) and North of Scotland services

Four or more services per day on this route

C EDINBURGH services (calling at most major stations) and Glasgow Central services

D NEWARK\YORK services (calling at major stations) and Lincoln\Hull services

Fewer than four services per day on this route

Weekend services operate over similar routes as shown above. Please check timetables before travel.



LN ERrailway



LN ERrailway

LN ERrailway.co.uk

East Coast Main Line Company Limited (trading as London North Eastern Railway).
Registered in England No.04659708
Registered Office: East Coast House, 25 Skeldergate, York YO1 6DH

June 2018. All details correct at time of going to press.

LN ER045

How we deal with your complaint

June 2018



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WELCOME

Welcome to London North Eastern Railway (LNER). Your feedback is invaluable in helping us to improve our services in the future. If you're not happy in any way, we'll take your comments or complaints very seriously and do everything we can to make things right.

We aim to resolve all complaints to your satisfaction, quickly and effectively, without the need for the involvement of third parties. However, the policy also gives further information on independent bodies you can contact if you are unhappy with the response we have provided.

TALK TO US

OUR STAFF

The first thing to do if you are unhappy with our service is tell one of our people. They are all trained to help and will try, where possible, to resolve your complaint immediately. This may include involving their supervisor or manager. If your complaint cannot be resolved on the spot we will pass it on to our Customer Services team.

Our frontline teams also have access to cards that inform you how to submit a complaint to our Customer Services team directly.

OUR CUSTOMER SERVICES TEAM

Our Customer Services team is there to help you and there are several ways to get in touch:

Email: customers@LNERrailway.co.uk
 Post: **London North Eastern Railway**
 Freepost RTUH-TUGH-GCL2
 Cramlington
 NE23 1WG

Telephone: **03457 225333**
 Main Customer Services Number

Opening times: 07:00 – 22:00 7 days a week (closed
 Christmas Day and Boxing Day)

When you call us outside the above times, an automated message will confirm the department is closed and advise of the above opening times.

When contacting the team, to help us respond to you promptly, make sure you tell us your name, provide us with contact details so we can respond to you, tell us the name of the station or time and date of the train service your complaint relates to and let us know as much detail as possible, including details of your train tickets.

Where your complaint relates to a service provided to us by one of our suppliers, we will handle it ourselves, liaising with the supplier in the process. If your complaint relates to the services of another train company, we will let you know who it needs to be referred to, and with your agreement pass it on to them.

OUR WEBSITE

The simplest way to get in touch with us is through our website, LNERrailway.co.uk. From here you can complete an online form to tell us about anything, good or bad, find answers for many questions about our services or download other information such as our Passenger's Charter.

THROUGH SOCIAL MEDIA

Our Social Media team is here around the clock and will be happy to discuss your complaint, answer your queries or receive your feedback through Facebook or Twitter. Come and speak to the team at:

Twitter: [@LNERrailway](https://twitter.com/LNERrailway)

Facebook: facebook.com/LNERrailway

MEET THE MANAGER

We hold regular 'Meet the Manager' sessions along our route, both on our trains and at stations we call at. These are attended by local, senior managers and Directors, they are a great opportunity to air your views, give us your suggestions and opinions, share any journey feedback, and get your questions answered. If we don't have the answer to your query there and then, we'll take your contact details and get back to you. Visit our website to see when a Meet the Manager session is coming to a train or station near you.

ACCESSIBILITY

We understand some people have specific access requirements, or whose first language is not English, and may therefore have difficulties communicating with us. We handle these cases sensitively and give our responses in an appropriate format. We make provisions for customers who are visually or hearing impaired such as through our Text Relay service or by providing materials in alternative formats such as large print. We are happy to process complaints or feedback from guardians, carers or support workers who are acting on your behalf, providing we have your written permission.

HOW WE DEAL WITH YOUR COMPLAINT

MAKING A COMPLAINT DIRECTLY TO A MEMBER OF STAFF

If your complaint is made in person to one of our team they will try and resolve it on the spot, involving their supervisor or manager if appropriate.

If your complaint cannot be resolved, it will be passed to our Customer Services team.

MAKING A COMPLAINT TO THE CUSTOMER SERVICES TEAM

The team will undertake a full and fair investigation into your complaint before responding to you. If you have provided a contact phone number, they may call you to resolve your complaint over the phone or to obtain further information if this is needed to investigate your complaint robustly.

If your complaint concerns one of our people, while we will confirm if an internal investigation has been commenced by their line manager, we will not confirm what action has been taken against the individual.

If you are unhappy with our response and contact us again, the case will be escalated within the Customer Services team. The complaint will be reviewed, as will the initial response we sent, by a member of our team not involved in the original response and we will respond to you. We will also explain your options for having your complaint reviewed by an external body and outline the role of Transport Focus and London Travelwatch in carrying out this review on your behalf. We will provide their contact details. These are independent organisations set up to protect the interests of rail users.

Contact details for these organisations are as follows:

Website: transportfocus.org.uk
 Email: advice@transportfocus.org.uk
 Telephone: 0300 123 2350*
 Twitter: @TransportFocus

Transport Focus

Freepost RTEH-XAGE-BYKZ
 PO Box 4257
 Southend on Sea
 SS1 9PZ

*Calls from 03 numbers can be accessed from mobiles or landlines without incurring premium rate charges.

London Travelwatch

Website: londontravelwatch.org.uk
 Email: enquiries@londontravelwatch.org.uk
 Telephone: 020 3176 5991
 169 Union Street
 London SE1 0LL

In addition to the above, we will also explain your rights to access an Alternative Dispute Resolution service for consumer disputes (The Competent Authorities and information Regulations 2015 requires us to do this).

In our case this currently provided by The Consumer Ombudsman (www.consumer-ombudsman.org). Though later in the year the railway industry is establishing its own independent ombudsman scheme to focus solely on railway related complaints, when this scheme is established we will transfer to the rail based scheme, designed to specifically assist rail customers.

If we are unable to resolve your dispute within 8 weeks of your original complaint you have the right to use this service, which is independent and free of charge to you. We will accept any decision made by the Ombudsman as binding.

COMPLAINTS FROM THIRD PARTIES

We will accept complaints made on your behalf by a third-party intermediary meeting the same standards and timelines as if you had contacted us directly. We will converse directly with them, so long as it is clear they have your consent to act on your behalf. If this is not clear, we will contact you to ask for your permission. If during the handling of your complaint this consent changes, you should let us know in writing and we will stop discussing your case with the third party immediately.

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RESPONSE TIMES

If speaking to our people or contacting our Social Media team, we will try and resolve your complaint on the spot.

However, if you contact our Customer Services team or have your complaint referred to them, we aim to respond within 10 working days.

If your complaint is complex and requires a greater level of investigation, it may take up to 20 working days for us to respond to you. For such cases, we will provide you with a progress update within 10 working days.

In busy periods, such as following a period of major disruption, our response times may increase. However, if this happens, we will put messages on our website, on our Customer Services phone lines and in the email acknowledgements sent from Customer Services to keep you informed.

DEALING WITH FRIVOLOUS OR VEXATIOUS COMPLAINTS

If you believe we have not met our customer service standards, we understand you may feel angry or upset. Whilst we respect the rights of our customers to express their views, we will not tolerate aggressive, threatening or abusive behaviour of any kind.

We reserve the right to terminate any correspondence or communication we believe to be 'frivolous, vexatious or abusive'. In the first instance, the case will be reviewed by our Head of Customer Contact. If they support the decision to terminate further correspondence, we will then consult fully with the Office for Rail and Road and Transport Focus or London TravelWatch before we terminate any correspondence and inform you in writing of the reasons behind our decision. In this response, we will also include contact details for Transport Focus and/or London TravelWatch.

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COMPENSATION

We will offer you compensation, if appropriate, in line with our Passenger's Charter and the National Rail Conditions of Carriage. We will take account of other relevant factors when deciding on levels of compensation and use our discretion where appropriate. If you are entitled to compensation, or we deem it appropriate to offer you discretionary compensation, we will confirm this in our response to you.

For customers wishing to claim compensation because they were delayed by 30 minutes or more when travelling with us, please refer to the Delay Repay section of our website www.londonnortheasternrailway.com/delayrepay

Consumer Rights Act 2015

The Consumer Rights Act 2015 provided consumers with new right, where a service is not performed with reasonable care and skill. For further information regarding your rights when travelling on our services as a consumer, please go to www.gov.uk/consumer-protection-rights.

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CONFIDENTIALITY

Your personal details, or details about your complaint, will not be shared with third parties unless we have your consent in writing, or it is necessary to fulfil our own obligations to Members of Parliament, the Department for Transport, other train operators, Transport Focus and/or London Travelwatch or the Office of Rail and Road. This includes other bodies carrying out statutory duties such as the police.

The Office of Rail and Road (ORR), the industry regulator, conducts research into the experiences of customers that have submitted complaints to train operators as part of its monitoring arrangements. For LNER customers, this will only include those customers who have submitted a complaint electronically. If you do not wish to participate in such a survey, we will ask your permission – an opt-out link is provided at the bottom of each response we issue.

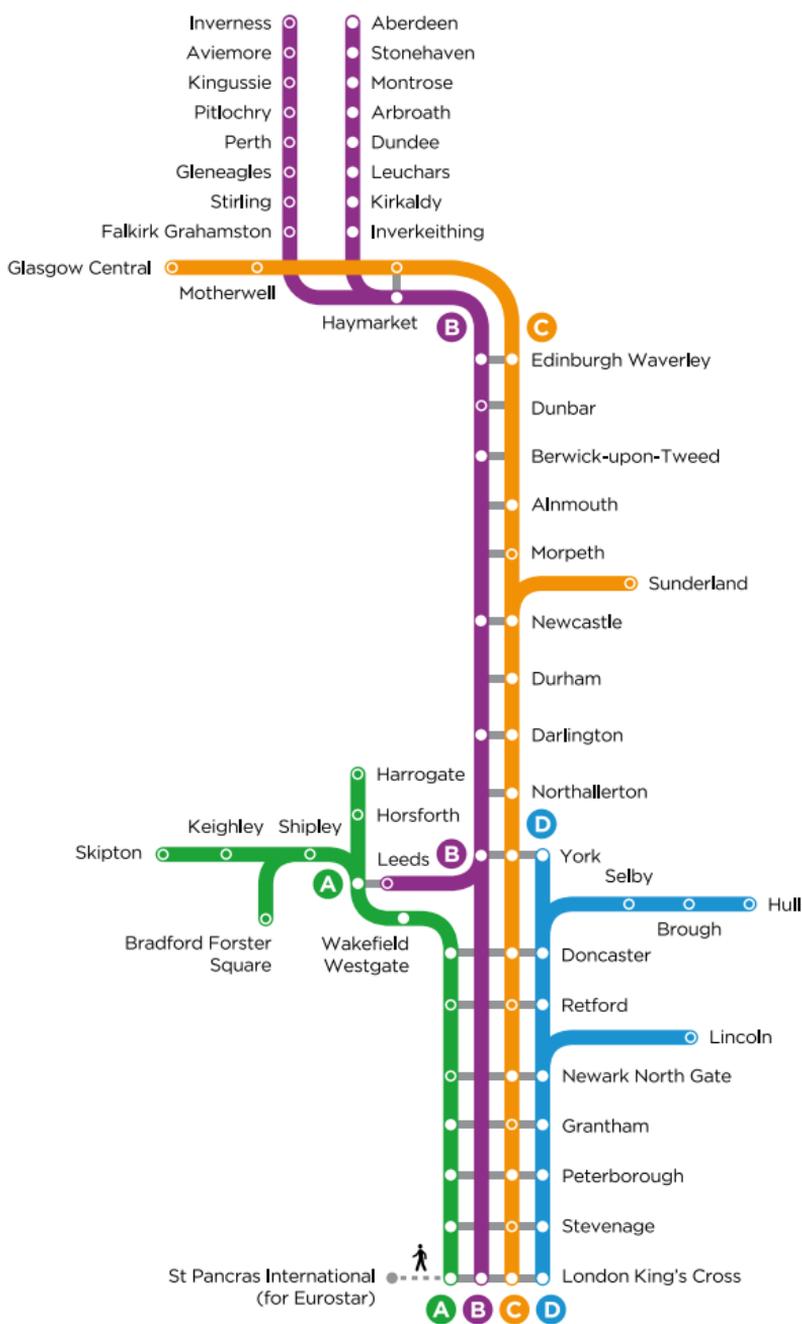
We will fulfil our legal obligations in respect of the Data Protection Act (2015).

CLAIMS FOR LOSS, PROPERTY DAMAGE OR PERSONAL INJURY

If you wish to make a claim against London North Eastern Railway for losses, property damage or personal injury, please contact our Customer Services team who will either deal with your claim or pass it to insurance and claims handlers.

The rail industry has an arrangement called the Claims Allocation and Handling Agreement (CAHA). All train operating companies must comply with CAHA and your claim will be processed in accordance with this agreement. Under CAHA, compensation should be dealt with by the companies for their own customers. If some or all responsibility is allocated to another party, the insurance companies balance payments without involving the customer.

LN ER WEEKDAY SERVICE



A LEEDS services and West Yorkshire Services

B EDINBURGH express services (calling at selected stations only) and North of Scotland services

Four or more services per day on this route

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