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04 September 2018

Cath Bellamy
Managing Director
Vintage Trains Ltd

Dear Ms Bellamy,

Approval of Vintage Trains 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.

We note that Vintage Trains Ltd is a charter operator and so its services will differ from those of a standard franchised operator. In particular, Vintage Trains Ltd's services will be pre-bookable only, with the exception of some limited walk-up tickets available on the 'Shakespeare Express' trains.

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).

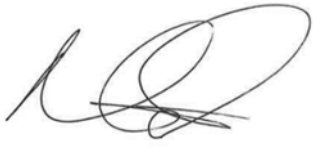
We welcome the following, which we believe are likely to be positive for passengers:

- The availability of the complaints handling procedure and a customer complaint form on board all of your services from any member of on-board staff;
- The provision of compensation when a service is cancelled prior to departure or terminated during the rail tour; and
- Your acceptance of complaints made on behalf of passengers by a third party intermediary.

You have confirmed that Vintage Trains Ltd will comply with the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015. You also stated that you are currently in the process of registering with the Dispute Resolution Ombudsman, the ADR body procured by the Rail Delivery Group.

As you are aware, we are currently consulting on modifying licence condition 6 to make membership of the ADR scheme in the rail sector a mandatory requirement. We expect to publish our decision, and if appropriate, proceed with the statutory licence modification process. We will confirm thereafter the timetable for making requisite changes to Complaints Handling Procedures.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a large, circular flourish that loops back to the start of the 'M'.

Marcus Clements

Managing Customer Complaints



VT L2 CUS 701

VT-L2-CUS-701

Managing Customer Complaints

Synopsis

This document details the arrangements for receiving and handling complaints and how Vintage Trains Ltd (trading as Vintage Trains) uses this information to drive improvement.

Authorisation

Owned by:

Ben Mason - Commercial Director

Authorised by:

A Shooter - Chairman

Version	Date of Issue	Comment
4b	September 2018	Updated BM

Our mission: To operate high quality, safe and reliable charter train services



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1 Purpose and Scope

1.1 Purpose

- 1.1.1 The purpose of this document is to ensure that Vintage Trains has a consistent and fair response to customers who have not experienced the product advertised and sold by Vintage Trains.
- 1.1.2 This procedure also provides protection to Vintage Trains' reputation and the ongoing viability of the business.

1.2 Scope

- 1.2.1 This policy applies to all passenger charter services for which tickets are directly sold through Vintage Trains and are operated by Vintage Trains.
- 1.2.2 Separate arrangements apply for compensation of third party organisations chartering train services as detailed in contractual mechanisms and are outside the scope of this document.

2 Roles and Responsibilities

- 2.1 The Commercial Director has overall responsibility for the handling of complaints and the overall compliance of Vintage Trains with the Consumer Rights Act 2015.
- 2.2 All commercial staff must adhere to the requirements of this procedure.



3 Core Principles

- 3.1 Vintage Trains will ensure that details of the company's complaints procedure are available on our website. We will also make reasonable arrangements for customers to make a complaint in person at the time an issue arises where possible.
- 3.2 Vintage Trains will seek to answer complaints promptly, taking into account the reasonable interests of the complainant.
- 3.3 Vintage Trains will also ensure that information gathered from complaints and subsequent investigations is used for continuous improvement, so that the root causes of complaints are addressed, and solutions are put in place.
- 3.4 Vintage Trains will use first-hand data and evidence when investigating complaints and making decisions on compensation
- 3.5 Vintage Trains will provide an easily accessible complaints handling service to customers.
- 3.6 All personal data will be treated as confidential and handled per Vintage Trains Data Protection Policy updated for GDPR compliance May 2018
- 3.7 All Vintage Trains customer facing staff, primarily booking office and on-train stewards will receive training in customer service and complaints handling procedures.

4 Events

- 4.1 There are multiple reasons that could cause a customer complaint, but Vintage Trains will pro-actively consider making provision for complaints by issuing a statement to the passengers and staff when:
 - Train arrives more than 30 minutes late
 - Train terminates short of destination
 - Train terminates at alternative destination
 - Advertised traction is substituted
 - Advertised catering provision is not available
 - Unsafe actions or events



- 4.2 The most senior member of customer service staff on board the train (at a minimum the Train Manager) will be empowered to act upon and resolve difficult situations on the spot. It will be the attending member of staff's responsibility to ensure that if the complaint cannot be dealt with immediately, or if the passenger requests follow-up, the complaint is handled as per our standard procedure.

5 Publicising the Complaints Procedure

- 5.1 Vintage Trains will ensure that, in the event of disruption on a charter operated and promoted by Vintage Trains, details of how to make a complaint are freely available and customer facing staff are trained in the correct actions to take.
- 5.2 Information and details of how to make a complaint will encourage passengers to raise any issues with the Guard or a Steward at the time of travelling where possible.
- 5.3 The Complaints Handling Procedure and a Customer Complaint Form will be available on board the train from any Steward or Guard.

6 Handling Complaints

6.1 Method of submitting complaints

- 6.1.1 Complaints may be received in the following ways:
- a) By Customer Complaint Form submitted to Guard or Steward
 - b) By email
 - c) By telephone
 - d) In writing
- 6.1.2 In all cases, the member of staff receiving the complaint must ensure that they have the details of the complaint and the customer's contact details (name, address, telephone or email). The member of staff will ensure the passenger is informed that their complaint will be investigated and that they will receive a response.
- 6.1.3 All complaints will be issued a Complaint Number. Initially, all complaints, correspondence and resolutions will be tracked using a password protected Excel spreadsheet.
- 6.1.4 (removed – duplicated by 6.6.1)



6.1.5 When a customer is unable or unwilling to make a complaint directly to Vintage Trains, Vintage Trains will accept and process complaints from carers, support workers, guardians or any other 3rd party acting on behalf of the customer. The complaint will be treated and managed by the same process and urgency as all other complaints detailed in this procedure. If the response and/or contact details for the complainant include a 3rd party, all Vintage Trains correspondence will be addressed as directed.

6.2 Booking Office Opening Hours

6.2.1 The Vintage Trains booking office is manned from 08:30 to 17:30 Monday > Friday, except recognised Bank Holidays. Any complaints received during these hours will be acknowledged and logged the same business day.

6.2.2 Outside of opening hours, all telephone calls will be answered by an automated messaging system. The caller will be given the choice to leave a message and receive a response the next business day or be given instruction on how to send a complaint via email.

6.3 Response times

6.3.1 Vintage Trains Ltd will respond to 95% of all complaints within 20 working days of receipt.

6.3.2 Email correspondence will be automatically acknowledged by completion of the next business day with a complaint reference number.

6.3.3 Telephone calls: All complaints will be logged as per the procedure and issued with a complaint number. If we cannot resolve the complaint at the time of the phone call, Vintage Trains will respond to 95% of all complaints within 20 working days of receipt.



6.4 Confidentiality

- 6.4.1 Claims relating to other operators: Vintage Trains are not able to handle complaints relating to other operators.
- 6.4.2 Confidentiality – as per GDPR issued May 2018 & the Vintage Trains Data Protection Policy (available from www.VintageTrains.co.uk or by request from the Vintage Trains booking office), Vintage Trains will not share confidential information to any third party without the written consent of the complainant. Vintage Trains may share non-confidential information to fulfil its own obligations such as providing information to focus groups and insurers, or to official bodies carrying out a statutory duty such as the DfT or British Transport Police.

6.5 Format of the Response

- 6.5.1 We will aim to resolve complaints with the first response, and to provide frank and honest answers to customers' concerns.
- 6.5.2 Responses will be worded in the first person, addressed to the complainant, be free from industry jargon and presented in plain English.

6.6 Investigation

- 6.6.1 The Commercial Director will either personally investigate or nominate a representative to investigate the complaint, taking into account the following:
 - a) Nature of the complaint
 - b) Whether it is a standalone complaint or whether there were other similar complaints on the same service (e.g. standard of food served, failure of toilets)
 - c) Whether this is a recurrent complaint that has occurred on other services
 - d) How the complaint is best managed and responded to
 - e) What lessons can be learned for future services



6.7 Response to a complaint

- 6.7.1 The complaint handling procedure will be published on the website www.VintageTrains.co.uk, be summarised in the Travel Terms & Conditions that accompanies every ticket purchased and will also be available in printed format onboard Vintage Trains from all Stewards and the Guard.
- 6.7.2 The Commercial Director will write to the passenger / customer setting out the circumstances of the complaint and the results of the investigation. All complaints will be issued a complaint number for tracking purposes.
- 6.7.3 If it is established there has been poor service, there will be an acknowledgement of what went wrong, an offer of a suitable remedy to the customer, together with an explanation of what happened. Apologies on behalf of Vintage Trains will be offered where this is appropriate.



- 6.7.4 If a service is cancelled prior to departure, the customer will be offered compensation in the amount of the fare paid. The compensation can take the form of an offer to be rescheduled on a similar future charter, a credit note in the amount of the fare paid or a refund in the amount of the fare paid to the initial method of payment.
- 6.7.5 If a service is terminated during the railtour, in addition to paying reasonable costs to return the passengers to their joining stations, a partial refund or credit note will be offered.
- 6.7.6 All compensation offered is at the discretion of, and must be authorised, by the Commercial Director.
- 6.7.7 If the investigation shows that a reasonable service had been offered, a full and clear explanation of this will be given, in addition to all evidence where possible.

6.8 Escalating Complaints & Appeals

- 6.8.1 If the initial resolution offered by the Commercial Director, the complainant can escalate the complaint to the Managing Director.
- 6.8.2 If the responses from Vintage Trains are not satisfactory and the complainant wants to escalate or appeal the resolution, Vintage Trains will provide details of and accept the resolution offered by an Alternative Dispute Resolution (ADR) body. The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulation 2015 requires us to advise you of an 'Alternative Dispute Resolution' organisation for your complaint. In our case this is The Consumer Ombudsman www.consumer-ombudsman.org
- 6.8.3 Vintage Trains will become members of the newly formed Rail Ombudsman when launched in November, 2018 and thence provide details to our passengers.

6.9 Learning lessons

- 6.9.1 Information from complaints and investigations will be regularly reviewed by Vintage Trains' management team to ensure that trends do not occur. The Commercial Director is responsible for directing these to the most appropriate Director(s).
- 6.9.2 Complaints reports will be passed to the Board of Directors for review and comment.



6.10 Frivolous or Vexatious Complaints

- 6.10.1 If a member of staff suspects that a complaint is frivolous or vexatious, they must notify the Commercial Director or Managing Director immediately.
- 6.10.2 Only the Commercial Director or Managing Director can decide if a complaint will be treated as frivolous or vexatious.
- 6.10.3 No member of staff who has previously had any dealings with an individual complainant shall be involved in deciding that complaint is frivolous or vexatious.
- 6.10.4 Once a complaint is determined to be frivolous or vexatious, the Commercial Director or Managing Director shall write to the complainant concerned explaining that their complaint has been classified as frivolous or vexatious, the reasons behind that decision and that the passenger has a right to take his complaint to the Vintage Trains Board. Additionally, any future complaints from that individual will be dealt with as any other complaint.
- 6.10.5 It is an individual complaint, rather than a passenger, who is determined to be frivolous or vexatious. Future complaints from a passenger who has had a previous complaint determined to be frivolous or vexatious shall be considered on their own merits. Vintage Trains shall not determine a passenger to be frivolous or vexatious and refuse to correspond with that passenger on any future issue
- 6.10.6 A determination that the complaint is frivolous, vexatious, contains seriously abusive behaviour or language are the only criteria for terminating correspondence with a passenger.

7 Monitoring, Auditing & Review

- 7.1 The Commercial Director will monitor numbers and types of complaints, response times and numbers of complaints that are escalated to the Managing Director
- 7.2 A review of the numbers & types of complaints, plus response times will be made available to the Vintage Trains Board
- 7.3 The Complaints Handling Procedures and results will be formally reviewed annually.



Appendix A – References & Definitions

References

TSO	Consumer Rights Act 2015
SRA	Guidance on Complaints Handling Procedure

Definitions

Customer:	A person intending to travel or actively travelling on a Vintage Trains service.
Complaint:	A complaint is defined as an expression of something that is unacceptable / unsatisfactory about the service or product provided. A complaint is negative and is a statement of criticism. A complaint requires investigation and a detailed response to the complainant.
Feedback / Comment:	Feedback is an expression of an opinion about the service or product. Feedback can comprise of both positive and negative. It contains scope for improvement.
Frivolous / Vexatious	Frivolous as '1. Not serious or sensible in content, attitude or behaviour; silly. 2. Unworthy of serious or sensible treatment; unimportant.' Vexatious as '1. Vexing or tending to vex. 2. Vexed. 3. Law. (of a legal action or proceeding) instituted without sufficient grounds, esp. so as to cause annoyance or embarrassment to the defendant.'