



Customer complaints handling procedure

Valid from 1 October 2016

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1 Introduction

We are committed to improving the service we provide to our customers and your feedback is invaluable in helping us know how we can shape further improvements to our service.

Our Customer Promise is:

- **being there** when you need us;
- making things **easier** for you; and
- always **listening** and **helping** you.

No matter how hard we try, sometimes things can, unfortunately go wrong which means we cannot provide the high level of service we aspire to give to all of our customers.

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.

If you are not happy in any way, we will take your comments or complaints very seriously and do everything we can to put things right for you.

The following information explains our Customer Complaints Handling Procedure. It lets you know how we will deal with your complaints/comments and the service that you can expect to receive from us.

This includes:

- How to contact us;
- How we will make it as easy as possible for you to talk to us;
- How we will respond to your complaint and when we will respond;
- How we will deal with your complaint fairly;
- When you can expect compensation;
- How we will respect our customers confidentiality; and
- How we will monitor and review the feedback we receive.

2 How to talk to us

We empower and encourage our staff to resolve any problems or complaints that you may have about our service immediately, so please do speak to our staff in the first instance. If they are unable to resolve the matter, the help of a manager or supervisor may be required. However, if they cannot fully resolve the issue, please contact our UK based Customer Service Centre, who can assist you 24 hours a day, 7 days a week (except 25 & 26 December).

There are a number of ways you can contact us to make complaint. When making a complaint and to help us investigate the issues you have raised, please include full details or everything relevant to your complaint. If you are making a complaint about a particular journey or station, please include the date, time of your journey, origin and destinations. We may also require details of your ticket. If you are writing to us by letter or email, please also include a daytime contact telephone number to help us to clarify points with you in greater detail.

Contact Information and Delay Repay forms are available on the following link: [eastmidlandstrains.co.uk/contactus](https://www.eastmidlandstrains.co.uk/contactus) or at all staffed stations on our route.

Details of how to contact us are also available:

- On our website, [eastmidlandstrains.co.uk](https://www.eastmidlandstrains.co.uk);
- On posters at our stations and on our trains;
- In our Passenger's Charter and printed timetables. Further details are available at [eastmidlandstrains.co.uk/policies-procedures](https://www.eastmidlandstrains.co.uk/policies-procedures);
- On social media, via Facebook, and Twitter. To view how we will deal with your complaint via Social Media please visit [eastmidlandstrains.co.uk/contactus](https://www.eastmidlandstrains.co.uk/contactus)
- In local phone directories; and
- Details of how to contact Transport Focus or London TravelWatch are displayed at our stations and on our trains or can be found in section 9 of this document.

Contact our UK based Customer Service Centre. Our staff are available to help 24 hours a day, 7 days week.

Call: 0345 712 5678*

Textphone: 0345 707 8051*

 @EMTrains

 Facebook.com/EastMidlandsTrains

Email: Using the online form on our website:
eastmidlandstrains.co.uk or by emailing
getintouch@eastmidlandstrains.co.uk

Post: Customer Service Centre
1 Prospect Place
Millennium Way
Pride Park
Derby
DE24 8HG

*Calls cost no more than calls to standard UK landlines and must be included in inclusive minutes and discount schemes in the same way. Calls from landlines are typically charged up to 10p per minute; calls from mobiles typically cost between 10p and 40p per minute. Calls from landlines and mobiles are included in free call packages. (Check with your provider).

We understand that some people who have specific access requirements, or whose first language is not English, may 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 impaired or hard of hearing and a Text Direct service is available. We will be happy to accept complaints or feedback from guardians, carers or support workers, on behalf of a passenger with their permission or authority.

3 How we will deal with your complaint

Our complaint handling process is simple and easy to use and is available to download from our website. We are also happy to supply it in alternative formats (such as Braille, large print or audio).

If you make a complaint or provide feedback to us, by any contact method, we will enter details, and a full record of any contact made, onto our confidential Customer Relations Management System; Charter Service Chain.

The team of fully trained Customer Service Centre employees will review every contact to identify if the content is a complaint about our service. Details are then passed onto the appropriate management team for investigations as well as producing reports. These are then analysed for service improvements and regulatory monitoring. Electronic forms of all our contact data are held for at least 5 years.

If you have provided a daytime telephone number, we may try and contact you by phone to resolve the issue, or obtain further information about your complaint, to assist in the investigation.

We will undertake a full and fair investigation into your comments and make every effort to provide answers or explanations to the issues you raise. Wherever possible, a complaint will be handled by an individual member of the team, from receipt to reply.

Where appropriate we will provide compensation, as detailed in our Passenger's Charter and the National Rail Conditions of Travel. Details are available at eastmidlandstrains.co.uk/policies-procedures;

If the complaint relates to a member of our staff, we will confirm that an internal investigation has been carried out and appropriate action taken. However we are not able to inform you of any specific action taken against an individual due to staff confidentiality and data protection.

- If you are unhappy with our first response and contact us again, a manager/team manager will review your complaint and issue a second response within 5 working days. This will also provide details of the role of Transport Focus or London TravelWatch and how to contact them.
- If you remain unhappy in relation to your complaint, you can contact us again or contact Transport Focus or London TravelWatch (contact details are shown on page 11). These are independent bodies set up by Parliament to protect rail users' interests. They are able to review your complaint and make representation to us on your behalf. We will provide a full response to the appropriate body within 10 working days.
- We reserve the right to terminate any correspondence that we believe to be frivolous, vexatious or abusive. We will fully consult Transport Focus or London TravelWatch before we terminate any correspondence and we will advise you in writing of the reasons behind the decision. We will comply with the principles outlined in the Office of Rail and Road Complaints Handling Procedures Guidance for dealing with frivolous and vexatious complaints.

4 Response times

We will respond to your comment or complaint as quickly as possible.

- If you contact us in writing, you should hear from us within five working days of us receiving your contact. However, it may take longer to provide a full reply (e.g. if an investigation is required) and if this happens we will send you an acknowledgement within five working days and reply within 20 working days. If a full reply cannot be made within 20 working days we will regularly contact you again to update you until a full response can be made.
- We aim to respond to 90% of comments and complaints within 5 working days and 100% within 20 working days.
- We will use all reasonable endeavors to keep to our promised response rates even if there is an unexpected increase in the volume of complaints being received. If these are exceeded we will work closely with the DfT, ORR, Transport Focus, London Travel Watch, and inform them of the reason and steps being taken to remedy the situation.
- We are making ongoing improvements to our systems and processes throughout the duration of our current franchise. This will allow for improved response times in line with industry targets of 10 working days.
- Any complaint or claim referring to another rail service provider or Network Rail, will be passed on to the relevant party within 5 working days of receipt and we will provide the customer details of who it has been passed to. We will comply with principles outlined in the Office of Rail and Road Guidance on Complaints Handling Procedures involving two or more operators to ensure customer complaints are dealt with correctly.
- If you telephone us to make a complaint or comment, we will do our best to resolve it during that call. If we cannot immediately resolve the issue at the time of the call and have to write to you, we aim to respond in the same timescales as for written correspondence shown above.

5 Our compensation policy

Delay Repay

East Midlands Trains operates a Delay Repay scheme where you can claim compensation for a delay of over 30 minutes, irrespective of the cause of the delay.

To claim for a delay, please complete a Delay Repay form. An easy to use online form is available on our website at eastmidlandstrains.co.uk/delay-repay or hard copies are available at our staffed stations. Please enclose your ticket or provide a scanned copy as proof of the journey. You must make your claim within 28 days of the delayed journey. Details of how we pay compensation are shown on page 9.

Please note:

If you need to retain your ticket following completion of your journey, for example because you wish to make a compensation claim after a delay to your journey, please show your ticket to a member of gateline staff at the ticket gate and say you need to keep the ticket. They will then open the gate for you. However, if your ticket has been collected by ticket checking staff or a ticket gate, please include a copy of your ticket confirmation.

If you are delayed, compensation payment is calculated as follows:

- 30 to 59 minutes delayed - we will pay compensation to the value of 50% of the cost of the single ticket or 50% of the relevant portion* held for the journey.
- One hour to one hour 59 minutes delayed - we will pay compensation to the value of 100% of the cost of the single ticket or 100% of the relevant portion* held for the journey.
- Two hours or more - we will pay compensation to the value of 100% of the cost of the single ticket or 100% of the cost of the return ticket (i.e. both portions, not just one way) held for the journey.

*By 'relevant portion' we mean either the outward or return portion of a return ticket, depending on whether you were delayed on your outward or return journey.

If you are a season ticket holder, compensation is based on the proportionate cost of a single journey:

- Weekly - 1/10th of ticket cost.
- Monthly - 1/40th of ticket cost.
- Annual - 1/464th of ticket cost.

Paying compensation

You may also be due compensation if we were unable to provide you with the service we promise. Please contact the team at **eastmidlandstrains.co.uk/contactus** or by using one of the methods listed on page 5, and we will be happy to assist you with your claim.

We pay compensation via various means including BACS (bank transfer payment), cheque, PayPal and Rail Travel vouchers. You can choose the method you receive compensation when making a claim, and you will receive this within 14 days of your claim being agreed.

BACS

This is the quickest form of paying compensation, but we'll need your bank sort code and account number, bank name and address.



You will need a valid PayPal account to claim compensation via this method, and we will need the registered PayPal email address. You can find out more and how to join PayPal on the following link: **<https://www.paypal.com/uk/webapps/mpp/home>**.

Cheque

This may take slightly longer to process, as we will need to post the cheque to you.

Rail Travel Vouchers

These are generally posted to you on the same day when we have agreed your claim. They can be used as full or part payment for rail tickets at any station ticket office to travel with any UK rail company.

If any of these methods are not suitable, please contact our UK based Customer Service Centre. Our staff are available 24 hours a day, 7 days a week, and their contact details can be found on page 5.

6 Confidentiality

We will ensure that your confidentiality is protected.

However, please be aware we may disclose some or all of your details to a third party without consent where it is necessary for us to fulfill our own obligations. This includes providing information to bodies such as other Train Operating Companies, Transport Focus or London TravelWatch, Insurers, The Department for Transport, The Office of Rail and Road or Members of Parliament. It also includes any such body in carrying out their statutory duties - for example, the Police.

If you would like further information about confidentiality and how we process your information please visit our website eastmidlandstrains.co.uk/contactus

Our Customer Service Centre team will comply with the Data Protection Act 1998 at all times.

7 Monitoring and reporting

Monitoring

We actively monitor our Customer Complaints Handling Process to make sure that it is effective and complies with any industry changes such as revisions to guidelines. Each month:

- Calls to the Customer Service Centre are monitored to ensure your complaint is handled in a friendly, personal and appropriate manner;
- The Customer Experience Manager will review a sample of written responses to ensure that feedback is dealt with promptly and effectively and appropriate compensation is issued;
- The Customer Experience Manager reviews our responses to contacts via social media to make sure that we provide consistent replies.

We also undertake a quarterly customer satisfaction survey to determine how satisfied customers are with our responses to complaints or feedback.

East Midlands Trains and the Office of Rail and Road are undertaking some joint research into passenger satisfaction with complaints handling, which involves a short online survey about your experience of how your complaint was handled. This will be sent to you by a professional research company called Critical Research. If you prefer not to be contacted please email us at eastmidlandstrains.co.uk/contactus or by calling **03457 125 68** (option 5 and 5).

Reporting

To ensure that our customer feedback helps us make improvements to our services and put things right, we provide monthly (or more frequently if required) reports on all feedback and complaints to our management teams. This helps to make sure that all business areas are aware of what our customers are telling us and highlights any trends. It also assists us in shaping continuous improvements to our service and future strategic plans.

Each month the Customer Experience Manager reviews the top five complaints that have been made about our service. The detail is discussed with direct reports to make sure that it drives changes within the business.

We also provide:

- A summary of comments and complaints to the Board of Directors each month, so managers at all levels are aware of the issues;
- A report, each month, to the Department for Transport, the Office of Rail and Road, Transport Focus and London TravelWatch on the number and type of complaints or comments we receive and our performance in dealing with them, including response times;
- Information, each month, to the Department for Transport, the Office of Rail and Road, Transport Focus and London TravelWatch on any complaints about the Complaints Handling Process and our customer satisfaction ratings; and
- Quarterly reports to the Department for Transport and the Office of Rail and Road regarding contacts made via social media (i.e. Twitter).

We will publish our Customer Report twice each year, this will update you on the improvements we have made and what improvements you can expect in the future. The Report will also show how we are performing against our targets for customer satisfaction, punctuality and more.

A copy of the Report is available from our website or you can pick up a copy from one of our stations.

8 Training and development

We are committed to ensuring that all of our staff have the knowledge, skills and are empowered to deal with a complaint about our services. Customer Service training is embedded into our strategic training plans and we recruit individuals that have the skills to sympathetically deal with a complaint.

All employees receive ongoing Customer Service training based on real life complaints. These are reviewed, in detail, to see how the situation could have been handled in a more appropriate way and to ensure a better customer experience.

Customer Service Centre employees also receive specific training on our commitments within our Complaints Handling Process.

Ongoing training is also provided to ensure our staff handling complaints have the capabilities and competencies to deliver an excellent complaints handling service; this includes telephone/letter writing skills, complaints investigation and resolution skills.

9 Claims for loss, property damage or personal injury

If you wish to make a claim against East Midlands Trains for loss, property damage or personal injury, please contact the Customer Service Centre (see contact details on page 5), The team will either deal with your claim or pass it to our Insurance and Claims handlers.

The rail industry has a statutory arrangement, called the Claims Allocation and Handling Agreement (CAHA). East Midlands Trains must comply with the CAHA and your claim will be dealt with in accordance with this agreement.

Under the 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.

CAHA Registrar LTD, Evershold Street, London, NW1 2DN

10 Reviewing our complaints handling procedure

Our Complaints Handling Procedure will be reviewed regularly and changes made when appropriate. This will be carried out in consultation with Transport Focus, London TravelWatch and the Office of Rail and Road. Contact details for each organisation are shown below.

Post RTEH-xAGE-BYkZ

Transport Focus
PO Box 5594
Southend on Sea
SS1 9PZ



Call 0300 123 2350

Email advice@transportfocus.org.uk

Website transportfocus.org.uk

Post London TravelWatch

169 Union Street
London
SE1 0LL



Call 0203 1762 999

Email enquiries@londontravelwatch.org.uk

Website londontravelwatch.org.uk

Post Office of Rail and Road

One Kemble Street
London
WC2B 4AN



Call 020 7282 2018

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

Website orr.gov.uk

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