

How we can help you

Customer complaint handling procedure

Transport Focus is the independent watchdog set up by Government to protect the interests of:

- Britain's rail passengers
- England's bus, coach and tram passengers outside London, and
- Users of the Strategic Road Network in England.

We are funded by the [Department for Transport](#) but our operations and policy-making are independent of government. We offer free and impartial advice on a range of transport related matters and also take up issues on behalf of individual rail passengers.

We expect the train company to resolve your complaint satisfactorily but if you are dissatisfied with their answer or the way that they handled your complaint Transport Focus or The Rail Ombudsman might be able to help you. This document sets out how we can assist.

Our mission

To achieve the best outcome for all transport users by challenging poor service and pushing for improvements.

Contents	Page
What we do	2
How we work on your behalf	2
What we can and cannot help with	3
Quality assuring what we do	4
The information you give us influences change	4
When to contact us how to contact us	5
Our timeliness targets	6
If you have a complaint about us	7
Privacy policy	8

What we do

If you have a complaint which the train company has not resolved to your satisfaction and you have received a deadlock letter, you will be directed to The Rail Ombudsman which may be able to arbitrate on your behalf. If your complaint is about the way rail services have been designed or rail industry policy, the Ombudsman will review it and may then put it in the hands of Transport Focus. The Rail Ombudsman is designed to be the 'single front door' for complaints train companies have been unable to resolve, so even if your complaint is referred back to Transport Focus, you should contact the Ombudsman first: www.railombudsman.co.uk

Contact details for individual train companies can be found on National Rail Enquiries: www.nationalrail.co.uk

If you require help in making an effective complaint to the train company, or contacting the Ombudsman, either on the telephone or in writing, then please see our website or contact us for further advice: <http://www.transportfocus.org.uk/help>

How we work on your behalf

If your complaint falls outside of the remit of The Rail Ombudsman, we may be able to help.

We have a team of advisors who handle cases. Our advisors will review the details of your correspondence and investigate, if necessary. The advisor may decide to raise your complaint directly with the train company, or may use it as evidence to try to make improvements to rail industry policy and practice. Wherever possible your complaint will be dealt with by the same advisor throughout.

We will undertake a thorough review of your comments and / or complaint. In order to do this, we may need to request and review copies of all correspondence between you and the train company, and any other party involved in your complaint.

We will always do our best to help resolve your complaint or enquiry to your satisfaction and we follow three key principles:

- aim high and seek the best possible outcome for a passenger's complaint
- clarify the role Transport Focus can play and help the passenger to understand what can be realistically achieved
- be empathetic; we will always put ourselves in your place to understand your concerns

Whatever your issue, we will aim to acknowledge its receipt and let you know exactly what we are doing within five working days. We will tell you how we will be progressing your case.

We will always strive to achieve our targets and response [times](#). However, there may be times when we are unable to do so, such as in periods of unexpected high demand for our service. We will keep you informed about any delays.

If we are unable to resolve your issue, we may be able to provide other information about work we are progressing to improve the issue you have raised on a wider scale or give you contact details for other organisations who may be able to assist you further.

What we can and cannot help with

Anyone can contact us about passenger rail services in Great Britain.

You may also contact us about a complaint you have had with a rail ticket retailer, where you remain dissatisfied with the outcome.

We can also deal with matters relating to the Tyne and Wear Metro, Sheffield Supertram and Manchester Metrolink.

We cannot deal with complaints about the London Underground. The contact details for their customer service department can be found at:

www.tfl.gov.uk/contact/4417.aspx

There are other times when we won't be able to help you:

- if you have copied us into a complaint to the train company for information but have not received a final response
- if your complaint fits the eligibility criteria for The Rail Ombudsman. However, we will pass your complaint to The Rail Ombudsman on your behalf.
- if your complaint is about heritage rail services, steam railways or charter operators. However, if your journey is covered by a National Rail ticket or if you have a through ticket which connects the heritage or charter service to a journey on the National Rail network then we may be able to help you or pass your complaint on to The Rail Ombudsman, if eligible.

- if it is a claim for personal injury or loss that may require professional legal advice.
- we reserve the right to not to take forward certain cases of a specific nature from time to time. This may be because the issue is already being addressed by us in another way, such as through a consultation exercise or other work. If we choose not to support your complaint we will fully explain the reasons for our decision.

Quality assuring what we do

We carry out a passenger satisfaction survey, asking those passengers who have contacted us, about the way we handled their issue. This helps us identify areas of improvement but also the success we have.

We also carry out regular quality checks and training to ensure that our processes and responses are of a consistently good quality, addressing the points you have raised and following our four key principles. We will look at cases where the service of our advisors was not considered satisfactory or where complaints are made about our work to identify the reasons for this. We will use this information to improve our performance.

The information you give us influences change

Your feedback is important to us. It helps us to identify areas where services can be improved and helps us prioritise the issues that matter to passengers.

We review the information and issues that passengers raise with us through our handling of individual issues so that we can identify trends or issues which affect rail passengers. This helps to shape the work that our organisation does in influencing change within the rail industry.

How to contact us

Use our website to get in touch:

<http://www.transportfocus.org.uk/help>

Email us at advice@transportfocus.org.uk

Call us on **0300 123 2350**. Our advisors will be able to help you find the best way to go about making a complaint and can also put you in touch with the organisation best placed to handle it. The call is charged at local rates (calls are recorded for training and monitoring purposes).

Our help line is available between 8am and 8pm Monday to Friday and from 8am to 4pm at weekends. The help line is available all year round including bank holidays with the exception of Christmas Day, Boxing Day and New Years Day.

Outside these hours, you will be able to leave a message and one of our team will contact you the next working day.

Write to us. Our address is: (The address is freepost so you don't need to use a stamp)

Transport Focus
Freepost (RTEH-XAGE-BYKZ)
PO Box 5994
Southend-on-Sea
SS1 9PZ

You can also use these contact details to request information from us under the Data Protection Act 1998 (as amended by the General Data Protection Regulation 2018) or Freedom of Information Act 2000.

We will try to make provision for customers whose first language is not English, and make our reply in the appropriate language. However, we may require additional time in order to do this, and so may not be able to meet our intended targets.

We will make provision for customers who are visually impaired or hard of hearing – we will respond in large print, Braille, or on audio tape where requested. However, we may require additional time in order to do this, and so may not be able to meet our intended targets.

Our timeliness targets

If you contact us by **telephone**, we:

- aim to answer at least 95% of telephone calls that we receive during our opening [hours](#), with at least 85% answered within 20 seconds
- will handle your call in a professional, polite and helpful manner
- will keep you informed during the course of the call and explain what we are doing if we have to put you on hold
- will return your call within 24 hours, if you can't get through to an advisor and you leave us a message, or when we are next open for business.

If you contact us in **writing** (via our website, email or, post):

- we will aim to acknowledge receipt of your correspondence within five working days of receiving it
- if you contacted us before contacting the train company concerned, we will forward your complaint to them and ask them to respond to you directly. We will aim do this within five working days.
- we will aim to respond to you with the outcome of your case within 35 working days. If this is not possible then we will keep you informed about what we are doing.
- if it is a [complaint about us](#), we will aim to respond to you within 20 working days.

If you have a complaint about us

We aim to handle all passenger contacts efficiently and bring all complaints to a satisfactory resolution. Unfortunately there may be times when we are unable to achieve the outcome you want, even though we have handled your complaint in line with our procedures.

If you feel that we have mishandled your complaint or not acted appropriately, please contact us and we will look again at the case to ascertain if there are issues that we need to address in our handling of the case, for example:

- if we have been unhelpful or rude,
- failed to explain things properly or
- if we have caused unnecessary delay

We will also consider if there is anything further that could be done to progress your appeal that has not already been done.

Any complaint will not be handled by the person who dealt with the initial appeal but will be passed to David Sidebottom, Director, to review and determine next steps. Please email your complaint to David.Sidebottom@transportfocus.org.uk.

If you remain dissatisfied with our investigation, your complaint can be escalated further to Anthony Smith, Chief Executive, Transport Focus.

If you still feel that we have mishandled your complaint or have not represented you appropriately then you may wish to make a complaint about us to your local Member of Parliament for England, Scotland or Wales (MP, MSP or AM), who will be able to help you further by referring the matter to the Parliamentary and Health Services Ombudsman. The Ombudsman can investigate a matter only on the grounds of administration malpractice rather than the outcome of your complaint.

The Parliamentary and Health Services Ombudsman's helpline will also be able to advise you further.

Their number is: 0345 015 4033

Website: www.ombudsman.org.uk

Privacy policy

By submitting your details to us via this website, you are deemed to have accepted our use of your personal information.

The data controller as defined by the Data Protection Act 1998 for this website and other data we collect to which this policy applies is the Passengers Council, operating under the name 'Transport Focus'.

1.1 Our information charter

We process personal information in line with both the Data Protection Act 1998 (as amended by the General Data Protection Regulation 2018) and our Information Charter.

1.2 Information we collect from you

We collect personal information from you if you email us with consumer enquiries and complaints about rail, bus, coach, tram and road journeys, with comments and complaints about the Transport Focus service, and with feedback on the site.

Information collected may include personal details such as names and addresses, email addresses and details of individual queries. In addition, we collect information on the usage of the site itself. This usage information will not identify you individually and is stored and processed in aggregate and will not allow the identification of individual users.

Please note that you are not required to provide your personal details to us, or to use the Transport Focus website, though if you choose not to this may limit the extent to which Transport Focus can help you.

Lawful basis for processing your data

We are required to have and explain a valid lawful basis for holding and processing your data. In respect of passenger enquiries and complaints this basis is provided in Article 6 (1) (e) of the General Data Protection Regulation 2018: processing is necessary for the performance of a task carried out in the public interest or in the

exercise of official authority vested in the controller. The 'official authority' in this case is set out in section 76 of the Railways Act 1993.

1.3 How we protect your privacy

Any personal information you provide will be held securely by Transport Focus in accordance with the Data Protection Act 1998 and the General Data Protection Regulation 2018. These statutes protect your personal information and ensure that:

- we only hold and process your information for purposes that we make clear to you in advance
- we keep your information only for as long as we need to carry out these purposes
- we will put in place appropriate measures that ensure your information is held and processed securely and confidentially.

If you provide us with 'sensitive personal data' as defined by the Data Protection Act 1998, we will never pass this information on to a third party without your explicit consent. If you withhold such consent, it may limit the extent to which we can deal effectively with your complaint or query.

Sensitive personal data means personal data consisting of information relating to a data subject which identifies:

- (a) racial or ethnic origin
- (b) political opinions
- (c) religious beliefs or other beliefs of a similar nature
- (d) membership of a trade union
- (e) physical or mental health or condition
- (f) sexual life
- (g) the commission or alleged commission of any offence, or
- (h) any proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings.

1.4 How we use the information

1.4.1 Consumer enquiries and complaints

If you contact us with an enquiry or complaint, we will use the information you have provided to advise you on your rights as a consumer, on how to avoid problems and how to address any problems you may have encountered.

We may need to pass information you have provided to The Rail Ombudsman or other service provider (often but not limited to a train operator (this includes information routed via an agency or automated portal acting on our or their behalf)) or to the London Transport Users' Committee operating as London TravelWatch to address a problem you have encountered. Enquiries may be forwarded to other service providers.

Unless you tell us otherwise, but with the exception of sensitive personal data as described above, we will assume that you have already provided your personal details as they relate to your complaint or query to the third party to which your complaint or query is directed and that you consent to any further processing or routing of your information as it is necessary, in our opinion, to help you resolve the problem you have encountered. We will hold your details and all associated enquiries or complaints for one year. Records will only be deleted if we have not received contact from you within this period.

We may also share your information with third parties with whom we work to help improve the passenger experience of rail industry operations, complaint handling and redress arrangements. In such circumstances the appropriate measures we will put in place to protect your privacy will include the conclusion of a data sharing agreement with the third party regulating the use of any data we share with them. Among other limitations, such an agreement will always prohibit the onward sharing of any personal data.

If you are making a complaint or query on behalf of another adult or adults, we may ask you to confirm in writing that you are doing so with their authority. This applies to circumstances, for example, in which one adult contacts us on behalf of a group of travellers who have experienced a similar problem, or where an adult is physically or mentally unable to contact us in their own right. If you are making a complaint or query on behalf of a child under the age of 16, we may ask you to confirm that you are the child's parent or legal guardian. Please note that we expect anyone over the age of 16 to contact us in their own right, unless there are clear grounds for an adult to contact us on their behalf.

1.4.2 Comments and complaints

If you have a comment on the service you have received – good or bad – we will use the information you provide to help us maintain and enhance our service to all our customers. We will hold details of your comments for three years.

If you have a complaint about Transport Focus itself, we will use the information you provide to investigate your complaint. If your original enquiry or complaint was passed on to a partner organisation, we may also need to pass details of your complaint to them to help them investigate your complaint further. We will hold details of your complaint for three years.

1.5 Feedback

We welcome your feedback. If you provide feedback on our website through our on-line form we will only use this information to develop and improve the site. We may hold details of your feedback for up to one year.

1.6 Cookies and visitor statistics

Cookies are files that a website can store on your computer when you visit the website. These files contain information about your use of a website and may contain personal details. This site uses cookies to gather statistics on visitors' use of the site.

We will use this information to make improvements to the layout of the site and to the information in it, based on the way that visitors enter, move around and leave the site.

1.7 Your rights

The law provides you with certain rights. These are as follows:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling.

The right of access means you have a right to request details of the information we hold on you. .

If you wish to do this, please write (explaining that your interest is in personal data maintained by Transport Focus) to the address below:

Senior Information Risk Owner
Transport Focus
Fleetbank House
2-6 Salisbury Square
London
EC4Y 8JX

If you wish to do this, please read our Information Charter by following the link below:

[Transport Focus Information Charter](#)

1.8 Links to other sites

Our website contains links to external websites, mainly those of train operating companies, but also those of other organisations. This privacy policy applies only to our website.

We are not responsible for the privacy practices of external sites. You should always be aware of this when you leave our site and we encourage you to read the privacy statement on any other website which collects personal information.

1.9 Changes to this privacy policy

When this privacy policy changes, we will update this page. This update will be shown in the 'Recently updated' section on the home page. Please check back regularly so that you are aware of the information we collect, how we use it and under what circumstances, if any, we will share it with other parties.

You should always check the privacy policy before using the site, even if you have visited it in the past. This ensures that you will be aware of any changes. Changes to our privacy policy do not affect information we already hold about you.

November 2018