Introduction

The Rail Ombudsman came into effect on 26 November 2018 and now provides passengers with free, independent and binding dispute resolution. Transport Focus has fully supported the implementation of the Rail Ombudsman and has played a vital role in establishing the Scheme with an objective to ensure that it builds on the years of successful mediation we have carried out for passengers.

Since its implementation, Transport Focus has been monitoring the performance of the Rail Ombudsman and has identified a number of issues with regards to signposting which have been brought to the attention of Rail Delivery Group – Anthony Smith wrote to Jacqueline Starr, Managing Director, Customer Service at Rail Delivery Group on 12 April 2019.

Signposting is the process that must be followed by scheme members to make passengers aware of the right they have to escalate a complaint with the Rail Ombudsman.

In this letter, Transport Focus set out its concerns that passengers are not being provided with sufficient and timely information regarding this right to take a complaint to the Rail Ombudsman should they remain dissatisfied with the response provided by the train operator. Rail Delivery Group and the Rail Ombudsman have been invited to attend Transport Focus’ Board meeting in public on 23 July 2019.

This document highlights good practice by certain scheme members in relation to information being provided on train operator websites and passenger documentation, but also provides examples of inconsistent and poor practice for the Board’s information. This information was accurate and up to date as at 30 June 2019.

The industry must provide consistent, up front and clear information about the Rail Ombudsman across the board.

Some scheme members, such as Greater Anglia and Cross Country are displaying good practice by making information available on all documentation and throughout their websites. However, only half of all train operator websites currently post up to date information on the Ombudsman that can be found within two clicks of the home page.

The industry as a whole must improve, as demonstrated in this document.
Website information

Good practice:
- Scheme member home page contains Ombudsman link or reference
- All signposting information on website accurate and up to date
- Ombudsman information no more than two clicks from home page
- Link to Ombudsman quick start guide.

Poor practice:
- No Ombudsman information on website at all
- Outdated information regarding Alternative Dispute Resolution or escalation to Transport Focus or London TravelWatch
- Ombudsman information page online appears accessible only via Google search
- Ombudsman information available but difficult to find
- Ombudsman information more than two clicks from home page.

Overview

The review found that no scheme members are providing information regarding the Ombudsman on the home page of their own website.
In general, information is available and examples of good practice were found (see below). However, improvements could be made across the board to increase transparency by making this information more prominent on websites.
The information should be obvious and easily accessible by consumers.

Examples of good practice:

Greater Anglia refer to the Rail Ombudsman when you hover over ‘About us’ on the home page (in a sub menu under the ‘contact us’ tab on that page):
Once the ‘Rail Ombudsman’ link is selected, an overview of the escalation (“deadlock”) process, timeframes, along with links to the Rail Ombudsman website and ‘quick start’ guide are all provided.

Cross Country provides up to date information on its website in the ‘complaints and comments’ section which accessible by navigating two clicks from the home page. However, this is not as prominent as information provided by Greater Anglia:
The information provided by Cross Country is clear, explaining timeframes, eligibility and possible onward signposting to Transport Focus or London TravelWatch. It also provides contact details for the Ombudsman via multiple channels:

Website: (including online chat): www.railombudsman.org
Telephone: 0330 094 0362
Textphone: 0330 094 0363
Email: info@railombudsman.org
Twitter: @RailOmbudsman
Post: FREEPOST – RAIL OMBUDSMAN

The Contact Centre team are available:
Monday to Friday 08:00 - 20:00
Saturday and Bank Holidays 08:00 - 13:00
(excluding Christmas Day)

Whilst this is better than the majority of other train operator websites, the Cross Country website could be improved by making reference to and adding a link for the Rail Ombudsman ‘quick start’ guide.

**Examples of poor practice:**

Chiltern and LNER have information regarding the Ombudsman on their websites. However, this only appears to be available via Google search and could not be accessed by simply navigating through either of their websites. For example LNER:

The url [https://www.lner.co.uk/customer-service/ombudsman/](https://www.lner.co.uk/customer-service/ombudsman/) is displayed (as above) when navigating from Google. However, the Ombudsman section cannot be navigated to as a next step from [https://www.lner.co.uk/customer-service/](https://www.lner.co.uk/customer-service/) which should be possible if this page exists.
Virgin Trains make no reference at all to the Rail Ombudsman on its website.

Some scheme members do provide Ombudsman information on their websites but this is either more than two clicks away from the relevant home page or difficult to find. For example: Thameslink and Southern - four clicks are needed to get from the home page and then the consumer must required to select a further drop-down section on the relevant page:
Southwestern provides contact details for the Ombudsman two clicks from the home page. However, no explanation is provided regarding the escalation/deadlock process or the timeframes for appeals to the Rail Ombudsman. This page also contains outdated information regarding Alternative Dispute Resolution which is confusing for consumers.
Documentation

Good practice:
- Complaints Procedure updated after November 2018
- Passenger Charter updated after November 2018
- Quick start guide on website.

Poor practice:
- Complaint procedure outlining former signposting process
- Passenger Charter outlining former signposting process.

Overview

The review found that the majority of scheme members have updated the relevant documentation to reflect the current signposting process. However, some inconsistencies were found. For example, some have updated their Complaint Procedure but not the Passenger Charter or vice versa.

Where documentation has not been updated, consumers are still being directed to Transport Focus and London TravelWatch. Where documentation has been updated, suggested wording is being used across the board.

Chiltern Railways’ Passenger Charter has been updated to provide accurate information on the Ombudsman:

You can appeal to the Rail Ombudsman if you’re unhappy with our final response to your complaint which will be contained in a letter or email (sometimes called a ‘deadlock letter’); or we haven’t resolved your complaint within 40 working days of receiving it; and no more than 12 months have passed since we sent you our final response.

There are some complaints that the Rail Ombudsman won’t be able to look into, for example if it’s about the way one of our services has been designed, industry policy, or if your complaint relates to an event which took place before the Rail Ombudsman service was established. If that’s the case, then they’ll contact you to let you know. If possible, they will transfer your complaint to another organisation that may be able to help you further, such as Transport Focus or London TravelWatch – the independent consumer watchdogs for the rail industry. They will independently review your complaint and where appropriate, follow things up on your behalf.

Website: (including online chat): www.railorombudsman.org
Telephone: 0330 094 0362
Textphone: 0330 094 0363
(Monday to Friday 08:00 to 20:00
Saturday and Bank Holiday (08:00 to 13:00)
Email: info@railorombudsman.org
Twitter: @RailOmbudsman
Post: FREEPOST - RAIL OMBUDSMAN

How to find information

Online and by phone

<table>
<thead>
<tr>
<th>Who</th>
<th>Website</th>
<th>Phone</th>
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</thead>
<tbody>
<tr>
<td>Chiltern Railways</td>
<td>chilternraiseway.co.uk</td>
<td>03456 005 165 (0830 to 1730)</td>
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<tr>
<td>National Rail Enquiries</td>
<td>nationalrail.co.uk</td>
<td>03457 48 49 50 (24 hours)</td>
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<tr>
<td>Transport for London Journey Planner</td>
<td>tfl.gov.uk</td>
<td>0345 222 1234</td>
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</tbody>
</table>

In person

Free copies of our current timetable are available at the staffed stations we serve. Timetable posters are also displayed at stations. We will inform you at least six weeks in advance of any disruption or timetable changes caused by non-emergency engineering works, or for any other reasons. When we introduce a new timetable, we will have details of it available at staffed stations and on our website at least four weeks before it starts.
However, the Chiltern Railways Complaints Procedure provides outdated information regarding Alternative Dispute Resolution and escalating to Transport Focus or London TravelWatch:

Conversely, Transport for Wales’ Complaint Procedure correctly signposts to the Rail Ombudsman:
However, the Transport for Wales’ Passenger Charter still refers passengers to Transport Focus:

![Transport for Wales Charter](https://therailwales.wales/sites/therailwales/files/2018-12/Passenger%20Charter%202019%20English.pdf)

Virgin Trains’ Complaints Procedure has been updated to reflect the signposting process since Rail Ombudsman implementation:

![Virgin Trains Complaints Procedure](https://www.virgintrains.co.uk/-/media/vt/files/pdf/customer%20complaints%20policy%20document)
However, Virgin Trains’ Passenger Charter still refers to Transport Focus or London TravelWatch:
Audit summary

Examples contained within this document have been collated from an audit of all train operator website, Complaint Procedures and Passenger Charters. The following criteria were used:

- Passenger Charter contains up to date information on Ombudsman – yes/no
- Complaint Procedure contains up to date information on Ombudsman – yes/no
- The train operator website contains up to date information on Ombudsman and can be found within two clicks of the home page – yes/no

The results for each train operator are below:

<table>
<thead>
<tr>
<th>Train Operator</th>
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<th>Passenger Charter</th>
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Transport Focus is the operating name of the Passengers' Council