

1. Introduction

1.1 Research background

The introduction of Customer Reports¹ has given rise to questions about the future purpose of Passengers' Charters since both documents cover some of the same areas in terms of passenger rights. The Department for Transport (DfT) asked Transport Focus to undertake a review of Passengers' Charters to help assess their continued role and usefulness in the context of consumer protection and passenger rights.

Transport Focus commissioned research to develop an understanding of the role of Passengers' Charters and how effective they are at communicating passenger rights.

1.2 Research objectives

The overall aim of the research has been to assess whether Passengers' Charters are effective at communicating passenger rights and to develop suggestions for how Passengers' Charters can be improved.

1.3 Research methodology

The research project was carried out in two phases by the research agency Illuminas. The first phase consisted of desk research on how the charters are used both within and outside the transport industry. The desk research included a review of academic papers, commentary and press articles on the subject of consumer rights and an examination of charters used in a range of different industries.

This report focused primarily on the second phase of the study. This consisted of in-depth research with representatives from across the rail industry and from the wider field of consumer representation. We carried out 16 in-depth interviews with experts from the following organisations:

Train operating companies (TOCs)

- CrossCountry Trains
- South West Trains
- Northern Rail

Industry bodies

- Association of Train Operating Companies (ATOC)
- Department for Transport (DfT)
- Office of Rail and Road (ORR)
- Transport for London (TfL)

¹ A description of the Customer Reports and a link to the publication *What passengers want from Customer Reports* (Transport Focus 2015) is provided in the Appendix.

Passenger bodies

- London TravelWatch
- Transport Focus

Consumer bodies

- Resolver
- Which?

These interviews examined the current state of Passengers' Charters and provided recommendations for improvement.

2. Key findings

2.1 Desk research summary

The desk research was based on a review of existing literature. We looked at academic articles, commentary and press articles on the subject of consumer rights, as well as examining customer charters from different industries.

Within the rail industry, the Passengers' Charter is a contract between service providers and users. It is required as part of the franchise agreement and has to include arrangements on compensation for passengers. Passengers' Charters also contain information on a range of other issues such as safety, security or luggage and information for disabled passengers.

Once committed to, as part of a franchise agreement, the commitments made in a Passengers' Charter cannot normally be reduced during the course of that franchise.

The review highlighted that the power of traditional Passengers' Charters as a medium for customer rights communication has been diminished. There has been an increase in the power of alternative channels, such as independent intermediaries acting as 'consumer champions', peer review sites and social media campaigns². Use of technology has also been a key factor in this, including, for example, websites. If passengers want to find something (for example, on delay or compensation), they are now more likely to look for it using search engines or the TOC's own website. As a result of this, people are far less likely to look specifically in the Passengers' Charter.

We also found that organisations of many types and across a wide range of sectors (including the rail industry) need to improve their communication of customer rights³.

The literature review showed a number of features that characterise effective customer communications. We used it to evaluate rail charters – it included:

- clear, accurate and accessible information
- available in different formats for example downloadable, printable booklet
- easy-to-locate information clearly promoted on company website
- written in Plain English – using simple language that everyone can understand
- ensure the charter is relevant to consumer needs
- transparency and accountability
- honest and open tone
- include alternative channels for advice, information and independent routes to redress.

² *Realising Consumer Rights: From JFK to the Digital Age* (Bates, R and Coll, L, 2014).

³ *Citizens as Customers – Charters and the Contractualisation of Quality in Public Services* (Drewry, D, 2005).

Judged against these requirements, Passengers’ Charters do perform well in many respects. However many still struggle to deliver an appropriate balance of including necessary content and presenting in a customer-friendly style.

Table 1, below, summarises how Passengers’ Charters from a range of TOCs across the UK perform against what the literature review suggests are the key requirements for effective communication of consumer rights.

Table 1: communication requirements and Passengers’ Charter performance

Requirement	How Passengers’ Charters compare
Clear, accurate and accessible information	<ul style="list-style-type: none"> • Accessible online but only if aware of what searching for; for example “Passengers’ Charter”.
Available in different formats for example downloadable, printable booklet	<ul style="list-style-type: none"> • Available online with some available as a PDF download. Some included as a webpage. • Leaflets and occasional posters at stations. • No other obvious channels to get information for example in print or on social media.
Easy-to-locate information clearly promoted on company website	<ul style="list-style-type: none"> • Charters were rarely prominent on TOC website. • Unlikely to ‘stumble’ across them.
Written in Plain English – using simple language that everyone can understand	<ul style="list-style-type: none"> • On the whole, yes. Still some jargon existing in places.
Ensure the charter is relevant to consumer needs	<ul style="list-style-type: none"> • Yes – contains all of the information that passengers would require.
Transparency and accountability	<ul style="list-style-type: none"> • Some examples of statements not being quantified, but still considerably better than comparative sectors both inside and outside the UK.
Honest and open tone	<ul style="list-style-type: none"> • Tone is more statement-driven than conversational.
Include alternative channels for advice, information and independent routes to redress	<ul style="list-style-type: none"> • Links included to alternative sources of information as well as telephone numbers, addresses etc.

2.2 Communication of customer rights in the rail industry – expert views

Interviews carried out with experts highlighted that there is strong public perception that the rail industry performs poorly on customer rights. Experts also believe that this perception is bound up with how these rights are communicated. In line with much other research, the view from the experts is that trust is critical to building better relationships between customers and TOCs. Effective communication of customers’ compensation rights when they most need them, such as at times of significant delay/disruption is key to this. Achieving this, it is argued, will have the added benefit of building trust and improving passenger perceptions of the industry.

There is widespread concern that passengers do not know enough about their rights – or what they can legitimately expect from their rail operators. This is exacerbated by low awareness of the core documents containing these rights and other key information (in other words the Passengers' Charter, National Rail Conditions of Carriage (NRCOC) and Customer Reports), especially amongst infrequent/leisure travellers.

Experts from both within and outside of the rail industry believe that Passengers' Charters are still needed as a customer-facing document that backs up legal requirements related to compensation contained in the NRCOC. In addition Passengers' Charters go beyond the essentially legalistic approach of NRCOC to provide useful and important information on a range of other issues such as planning journeys, buying tickets, on-board catering and bicycle storage.

However, it is often argued that Passengers' Charters lack focus and have become something of a 'dumping ground' for disparate items of customer information. As such, it is suggested that Passengers' Charters need more clarity in terms of their core purpose and also need to be publicised and distributed more effectively.

Experts from within and outside the rail industry argue that the majority of rail passengers are only likely to access information on their consumer/passenger rights when they are looking for compensation or to make a complaint following service disruption. Given this, it is suggested that a clear (although not exclusive) focus on compensation and complaints procedures in the Passengers' Charter is vital.

At the same time, it is thought that information that overlaps too closely with that provided in Customer Reports should be removed. In this context, it is suggested that updates about new trains, for example, are likely to aggravate customers who are looking to quickly find information on compensation and redress.

Also important is the way Passengers' Charters are written and distributed. Charters are sometimes not very user-friendly and can be rather dense and jargonistic. In addition, it is suggested that the industry makes little effort to make passengers aware of their rights. Beyond leaflets in racks at stations and occasional posters, it is unclear where information can be found. In particular, TOCs are typically not proactive in getting relevant information to customers at times of delay, when they are eligible for compensation.

2.3 Improving the Passengers' Charter

The experts interviewed believe that TOCs should make more of an effort to ensure that the Passengers' Charter is a document that shows rail customers' rights in a simple and customer friendly way and clearly highlights the issues that are believed to be the key concern of passengers, in other words delay compensation and, to a slightly lesser extent, complaint handling. In order to achieve this, it is felt that TOCs need to 'dial up' the most relevant areas of the Passengers' Charter and also to increase passengers' awareness of and access to this information.

2.3.1 Improving the content of the Passengers' Charter

In terms of content, we recommend:

- **Using clear and simple language:** the Passengers' Charter should not contain complex industry terms or jargon. There should be less text and focused around clear headings that indicate key areas of interest. The language also needs to convey security and honesty – so use words or phrases such as will, commit and promise.
- **Transparency and accountability:** areas of customer concern and the TOC's core responsibilities to customers should be published within the Passengers' Charter. This is seen to be important, especially in light of media 'noise' about performance in the rail industry and a need for TOCs to improve customer perception.
- **Open, collaborative tone:** the tone needs to be straightforward, polite and conversational. The Passengers' Charter should also appear to be collaborative on customer issues and sympathetic on compensation.
- **Relevant and definitive customer rights:** the Passengers' Charter should provide a clear focus on compensation rights. A layered approach to content, with headers, or signposts that give customers a clear overview and access to more detailed information on useful topics should be adopted.
- **Visually engaging:** clear branding with more consistency across TOCs should be used to help increase visibility and raise awareness of the Passengers' Charter. A universal delay-repay logo, where applicable and where delay-repay is in use, was suggested as a possibility to aid this. In addition, the charter should make use of design techniques such as infographics, icons, compensation scenario grids and flow-chart style posters.

2.3.2 Improving awareness and access

In terms of accessibility we recommend:

- **Building Passengers' Charter into the sales process:** providing a 'well framed link' to the Passengers' Charter on the backs of train tickets introduced through an easily understood customer scenario. For example, "Has your train been delayed by X minutes or more...".
- **Providing a condensed one-page document:** clearly labelled with the relevant areas highlighted, promoted further by posters on board trains and at stations. Weblinks and QR codes to a fuller online version could also be provided within this document.

- **Bringing it to the customer:** placing it prominently on TOC websites and sharing it with relevant consumer organisations as well as via social media platforms. Twitter is often cited as the most effective platform for customer interaction.
- **Staff members:** need to be empowered and encouraged to proactively engage with passengers and inform them about compensation and complaints processes. Where appropriate, particularly at times of major disruption, summary information should be broadcast and/or handed out to passengers.

3. Conclusion and recommendations

Passengers' Charters are still relevant and have a specific role as a customer-facing document. At the same time, many Passengers' Charters do not deliver information in the most relevant and customer-friendly way. Experts believe that Passengers' Charters need to:

- focus on the issues that are of more immediate concern to rail customers
- be made clearer and more accessible.

In light of the above, we are recommend:

- In order to focus on issues that are of more immediate concern, the compensation section and the complaints section need to be given greater prominence within the document.
- Passengers' Charters should be made more accessible by promotion through more channels, both offline and online, for example, within rail publications, on posters and TOC websites. The profile of Passengers' Charters can be raised further by providing links to the main document on the back of train tickets as well as on relevant websites (rail and consumer) and social media. Information about delay-repay or other compensation schemes could potentially be provided as a standalone single or double-sided leaflet that can be easily distributed by staff.
- As part of providing a good service, staff need to be able to provide information to customers on their rights when they most need them; in other words at times of delay and disruption.
- Passengers' Charters should also be clearly branded with the TOC logo; in addition the delay-repay or other compensation process should be communicated clearly.
- A universal, easily identifiable delay-repay logo that sits alongside the TOC branding could be helpful.

Specific recommendations in terms of content include:

- signposts/icons provided for customers to navigate and access information easily
- language that is jargon-free, engaging and easy to understand
- a tone that is empathetic and not too legalistic or commanding
- transparency and accountability
- wherever possible pictures, infographics, scenario grids, flow charts and icons to be used wherever they can substitute words.

4. What next?

What we found confirms what our earlier work showed in previous studies; trust is critical to building better relationships between customers and train operating companies. Open, honest and effective communication with passengers is a key element of this. Passengers' Charters have a central role to play, both in communicating customers' rights and potentially building trust and improving passengers' perceptions of the industry.

Transport Focus will share and discuss the detailed findings from this research with the Department for Transport. We will work with train operators and franchise bidders to promote the findings of this study as they revise and develop their Passengers' Charters.

Transport Focus looks forward to working with the industry on this issue.

Appendix

Customer Reports

Any new franchises (or franchise renewals) are now required by the Department for Transport to issue a Customer Report at the start of their contract and provide updates on this at least yearly. Customer Reports are designed to provide relevant and transparent information on customer issues, franchise commitments and areas for improvement plus up-to-date news on performance factors relating to the train service.

You can read a Transport Focus report on passenger views of the Customer Reports issued by franchises here: [What passengers want from Customer Reports \(Transport Focus 2015\)](#).