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15 August 2016

David Statham  
Managing Director  
Southeastern

Dear David

**Review of London and Southeastern Railway Limited (trading as Southeastern)  
Complaints Handling Procedure (Condition 6 of your 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 revised CHP is attached to this letter, and will be published on our website along with a copy of this letter.

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 revised CHP meets the requirements of Condition 6 of your Station Licence and GB Statement of National Regulatory Conditions: Passenger.

We welcome the following commitments, which we believe will be positive for passengers:

- Your commitment to respond to complaints within 10 working days; and
- Your commitment to consult with London TravelWatch and Transport Focus before taking the decision to terminate correspondence.

You have confirmed that where a complaint has not been resolved and your internal procedures have been exhausted, you will provide information on Alternative Dispute Resolution (ADR) to the complainant, in accordance with the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015. This information will usually be highlighted to complainants in the second substantive response, when details of Transport Focus and London TravelWatch are also given. We understand that you will identify an approved ADR provider (in this case Ombudsman Services) but that you do not plan to make use of this provider and instead complainants will be advised to contact the existing passenger bodies. Where a complainant does contact Ombudsman Services you have an arrangement in place whereby they will be referred to the relevant passenger body.

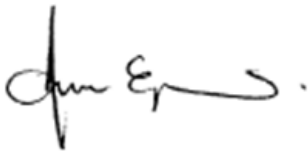
This approach appears to discharge the information requirements in the Regulations, however, we will be engaging with ATOC and the Department for Transport as to the application of the ADR regulations more generally and this may result in the need to revisit



policies in due course. You will continue to be engaged with developing thinking through your representation at ATOC.

In the case of Southeastern, the relevant passenger bodies are Transport Focus and London TravelWatch. In line with the requirements of the guidance, licence holders must establish an appeals handling protocol where the passenger bodies require this. We understand that these protocols are not yet finalised and are currently in the process of being agreed. Once these protocols are agreed, we expect licence holders to abide by them in their handling of appeals.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Annette Egginton'.

**Annette Egginton**



# Complaints Handling Procedure

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## Introduction

Southeastern is one of the biggest and busiest train operating companies in the UK with around 178 million passenger journeys made on our services every year across South East London, Kent and East Sussex.

Customer satisfaction is one of our top priorities and we're committed to consistently providing a safe, reliable, and welcoming service on every one of those journeys.

But we know that despite our best efforts there are times when things don't go to plan. If this happens and you're not happy with the service you've received then let us know. It's important to us that where possible we resolve any issues you've encountered. Your feedback also helps to drive improvement across the company and influences the training we provide our people.

This Customer Complaints Handling Procedure explains:

- How to make a complaint
- How we will listen and respond to your complaint including how quickly you should expect a response
- The types of compensation you might expect
- How we review and monitor the complaints we receive and how we respond to them, to drive improvement

We aim to work with you to resolve any issues as quickly as possible without the need of third party involvement. However you can contact the industry's independent passenger watchdogs if you are unhappy with the response we've provided.

## 1.0 How to make a complaint

### Talk to one of our Passenger Services frontline team

If you're travelling on one of our trains or at one of our stations and have a complaint, question or issue please talk to one of our employees. They will be happy to help you and will try to resolve your issue there and then. Depending on the severity of the issue they may need to involve their supervisor or appropriate manager if available. If this is not possible, or if you would like to take the matter further, they will be able to provide you with the contact details of our Customer Relations team.

### Contact our Customer Relations Team

Our Customer Relations team are available 24 hours a day, 7 days a week except Christmas Day and Boxing Day. If a complaint is raised via the telephone, this will be fully recorded in our customer relations database. Their role is to help answer questions and resolve any issues you've had with our services. You can contact them in the way that suits you best:

By telephone phone: 0345 322 7021

(calls are charged at local rate, including from mobiles and maybe recorded).

Textphone: 0800 783 4548

(for passengers with hearing impairments).

Online: Use our online 'Contact Us' form

(which can be found at: [southeasternrailway.co.uk/contact-us/contact-us-form/](https://southeasternrailway.co.uk/contact-us/contact-us-form/))

By post to:

Southeastern Customer Relations

PO Box 10422

Unit 16 Coalfield Way

Ashby-de-la-Zouch

LE65 9EL

### On social media

We operate our Twitter account, @SE\_Railway 24 hours a day, 7 days a week (with the exception of the period between 23:00 on Christmas Eve and 08:00 on Boxing Day). While our Twitter team will do their best to respond to any feedback, issues or questions you tweet us their focus is to broadcast train service information that is relevant to as many people as possible. This means they're not always able to respond to individual messages as quickly as you may like.

Complaints may require investigation by other parts of the business and as the format of Twitter doesn't lend itself to providing a detailed response it's likely that they will tweet you a link to our Customer Relations team or to our online 'Contact Us' form if you want to make a formal complaint. Please don't be offended by this, we just want to make sure you get an appropriate response to your feedback and using the Customer Relations channels.

## Meet the Manager sessions

Our 'Meet the Manager' sessions are an opportunity for you to speak to local and senior managers and have any of your questions answered. The dates and locations of these events are well publicised in advance at stations and online ([southeasternrailway.co.uk/contact-us/meet-the-manager/](https://southeasternrailway.co.uk/contact-us/meet-the-manager/)). If you require a formal response to the question you've asked or issue you've raised then simply let one of the managers at the session know and it will be arranged.

## What to include with your complaint

However you contact us, to help us fully answer your complaint and respond to you promptly please make sure you include the following:

- Your full name and address including postcode
- A daytime telephone number with your correspondence, as we often find that a telephone conversation is much more effective than lengthy correspondence
- Ideally an email address as this is often quicker to reach you than post
- If you are making a complaint about a particular journey or station please include information about which of our services you were using, such as the date and time of your journey, where you started, changed trains and completed your journey
- If relevant your tickets or a copy or scan of them
- Your reason for complaint including a description of the problem and the inconvenience caused
- How you would like us to resolve the issue

## 2.0 How will we respond to your complaint and how quickly can you expect a response?

### How we will respond to your complaint

We define a complaint as: 'Any expression of dissatisfaction by a passenger or potential passenger about service delivery by the company or its agents, and/or about company or industry policy.' Our staff are trained to recognise complaints using the definition and that all contacts are recorded.

You can be confident that we take your complaints seriously and that they will be handled fairly. All issues raised will be carefully considered, investigated and examined with your view in mind. Once this is complete we will let you know what happened, why, who was responsible and what the outcome is. We will provide an appropriate response to all the points you raise. If we've got it wrong we'll let you know and we'll work hard to prevent the same issue happening again.

All complaints, irrespective of how you contacted us, are entered into our Customer Relations Management database.

We aim to answer all the points you raise as promptly as we can. Our response target times are detailed on page 6.

In order to answer your questions fully and fairly we may have to carry out an investigation with our management team. If this is going to take longer than our target response time, which it sometimes can do, we'll let you know as soon as possible and tell you when to expect to hear from us. While complaints about our people will be fully and fairly investigated, we cannot tell you of any specific actions we have taken with a particular individual.

Once we have completed our investigation we will provide you with a full written response. We'll also ensure the points that you make are raised with the relevant managers to prevent the same mistakes from happening again.

### Our target response times

We will respond to your complaint as quickly as we can after fully investigating the issue.

If you telephone us, our aim is to answer your call within 30 seconds. We'll do our best to resolve the issue at the time of the call but if we can't we will call you back or write to you within 10 working days.

If you write to us or contact us using a 'Contact Us' form either on our website or by post we aim to respond to you within 10 working days.

Some complaints require a more detailed investigation. If this is the case we will let you know within 10 working days that we need to carry out further investigation and tell you when we will get back to you. We aim to provide you with a full response in 20 working days.

As you might expect, more people contact us when things go wrong. When this happens it can take us longer to respond to you. We'll do everything we can to prevent this from happening, including putting in place our contingency plans for busy periods, but if we won't be able to respond to you within 10 days we will send you an acknowledgement and say when we will be able to feedback on your complaint.

We'll also inform all passenger watchdogs and the ORR of the problem and brief them on any recovery plan, if necessary negotiating a short term extension to our normal response times.

### If your complaint is about another train operator

In line with industry guidelines:

- If your issue is with another train operating company but you send it to us, we will forward your letter to a contact at that company. We'll also let you know when we've done this and to who we've sent your letter.
- If your journey involved multiple trips on different services we will answer any issues that relate to our services and forward your details to the other relevant train operating companies so they can respond directly to you about their portion of your journey.
- If your complaint is about a ticket or service provided by a third party ticket retailer please contact them directly.
- If your complaint is about the rail infrastructure e.g. level crossings or fences please contact Network Rail.



- If you have a problem topping up your Oyster card at one of our stations then please let us know. For any other problem with your Oyster Card or Oyster PAYG please contact the Oyster Helpdesk at Transport for London. [tfl.gov.uk/help-and-contact/?cid=contact](https://tfl.gov.uk/help-and-contact/?cid=contact)

In all the above instances, if you do contact us in error, we will forward any correspondence on your behalf to the relevant provider and let you know we have done this.

Please note we cannot intervene on your behalf regarding appeals to the Independent Penalty Fares Appeals Service (IPFAS) or car parking Penalty Charge Notice (PCN) because they do act independently with regard to assessing, upholding and overturning appeals.

If your complaint is about the service that IPFAS or the parking appeals team have provided, or the conduct of Southeastern Revenue Protection Staff please contact us.

### **The types of compensation you may be entitled to**

Where appropriate we will provide compensation. Our Passenger's Charter explains our compensation and refund policy should your train be cancelled or delayed or if you are unable to travel. It is available on our website [southeasternrailway.co.uk](https://southeasternrailway.co.uk) and from all our manned stations. Using our Delay Repay scheme, explained in the charter, you can claim if you're delayed by 30 minutes or more when you travel with us. If you have not applied for Delay Repay compensation we will contact you to make you aware of your entitlement. [southeasternrailway.co.uk/about-us/policies/](https://southeasternrailway.co.uk/about-us/policies/)

We will consider any reasonable claim you may have for additional costs incurred because of a delay to one of our services e.g. alternative travel arrangements or overnight accommodation if you miss your last train connection, but in accordance with the National Conditions of Carriage, we accept no liability for consequential loss. [nationalrail.co.uk/static/documents/content/NRCOC.pdf](https://nationalrail.co.uk/static/documents/content/NRCOC.pdf)

We will consider offering an additional goodwill gesture where passengers have experienced particularly poor service or in exceptional circumstances on a case by case basis.

### **Claims for Losses, Property Damage or Personal Injury**

If you wish to make a claim against Southeastern for loss, property damage or personal injury this should be made in writing by email or letter to our Customer Relations team giving as much detail as possible about your claim. We'll investigate your claim and respond to you in 10 working days.

If you report an accident or injury, this will be treated as a priority and allocated to one of our team leaders to ensure any appropriate immediate actions are taken. Your report will be logged in our accident reporting database and if appropriate we will also report the matter to the Office of Rail and Road as required by the Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). Any claims will be dealt with in accordance with the Claims Allocation and Handling Agreement (CAHA) which governs all rail industry compensation claims. [caharegistrar.wordpress.com](https://caharegistrar.wordpress.com)

## 3.0 If you are not satisfied with our reply

We try to address all the points you raise in your complaint in our first reply. However, if you're unhappy with our response please let us know and we'll ensure that a member of the team new to your case reviews the response and your specific concerns. They will respond to you again and provide their name and position as a point of contact for any future correspondence. All responses will be re-viewed by the quality team. At this point you can also contact the passenger watchdogs instead to raise an appeal.

### Appealing to the Passenger Watchdogs

If you are still unhappy you can contact the independent passenger watchdogs, Transport Focus or London Travel Watch established by Parliament to protect and champion passengers interests. Their role includes looking into a complaint if you're not happy with how we or another train operating company has responded to it. They will review your complaint and, where they believe it is appropriate, will follow up with us on your behalf.

In our second substantive response to you we will provide you with the contact details of all passenger watchdogs available to you and provide you with information on how to appeal. Together we have agreed a protocol with the passenger watchdogs for handling any appeals made to them.

If you do ask London TravelWatch or Transport Focus to review your case they will ask you to supply correspondence and supporting documentation relevant to your case. Occasionally, they will also request the same information from us. This is to ensure that all parties have the relevant information they need to review the case. This is covered by our privacy policy and is compliant with Data Protection regulations.

Our team includes people who work directly with these passenger watchdogs on appeals. We make sure that the manager handling the appeal has not had sight of your case before the referral and can remain impartial. We will provide any documentation the passenger watchdogs require within three days of the request being made, however if there is a large volume this may take up to five days. We'll inform the watchdog within three days if this is the case.

We'll respond to any passenger watchdog requests for appeals within 10 working days unless the case is particularly difficult or challenging and requires further investigation. In this instance a longer timescale will be agreed at the time of appeal receipt, to a maximum of 20 days. We'll respond to all the points they raise in full.

We'll continue to work with Transport Focus and London TravelWatch to regularly review this protocol and the actions within it.

London TravelWatch covers the stations that we serve in the London fares zones and out to Dartford, Swanley and Sevenoaks. Transport Focus covers all the stations that we serve in Kent and East Sussex beyond Dartford, Swanley and Sevenoaks.

To contact your passenger watchdog:

#### **Transport Focus**

Website: [transportfocus.org.uk](http://transportfocus.org.uk)

Email: [advice@transportfocus.org.uk](mailto:advice@transportfocus.org.uk)

Telephone: 0300 123 2350

Twitter: @TransportFocus

Freepost RTEH-XAGE-BYKZ

PO Box 5594

Southend On Sea

SS1 9PZ

#### **London TravelWatch**

169 Union Street

London

SE1 0LL



Telephone: 020 3176 2999 (Monday to Friday, 09.00 to 17.00).

Email: [enquiries@londontravelwatch.org.uk](mailto:enquiries@londontravelwatch.org.uk)

Website: [londontravelwatch.org.uk](http://londontravelwatch.org.uk)

### **Alternative Dispute Resolution**

As Transport Focus and London TravelWatch already provide a mediation service for passengers in the rail industry, we do not participate in the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulation 2015. However we must advise you that if you are unhappy with our response but you don't want to contact a passenger watchdog you can refer your complaint to an ADR provider, the Consumer Ombudsman, who will try to resolve the issue for you.

To contact the Consumer Ombudsman:

#### **Ombudsman Services**

PO Box 730

Warrington

WA4 6WU

Telephone: 0330 440 1614

Website: [consumer-ombudsman.org](http://consumer-ombudsman.org)

## **4.0 Privacy and Security**

Southeastern is committed to protecting and respecting your privacy when you use our services.

### **Personal details we hold**

We may hold your name, address, email address, phone number, our correspondence with you, the compensation claims you have made and payment made by us, proof of journey or other supporting information you may provide.

To ensure that we have an accurate record of dealings between us (and for training purposes) we may, in certain circumstances, record or monitor telephone calls, however you will always be told when this happens. All call recordings, electronic copies of correspondence and emails are held for a period of 5 years.

### How we use your personal data

This information is only used for administration of correspondence or processing claims you have made.

### Sharing data with third parties

We may share your correspondence with Transport Focus and London Travel Watch, if you have asked them to act on your behalf under a complaints handling procedure.

Requests from ombudsmen are dealt with on a case-by-case basis to ensure that any such disclosure is lawful in accordance with the Data Protection Act.

We may also share information with other train operating companies for the purpose of fraud prevention. We will only do this where there is a formal data sharing agreement in place.

Our privacy policy, is available on our website [southeasternrailway.co.uk/about-us/policies/privacy-policy](https://southeasternrailway.co.uk/about-us/policies/privacy-policy) which provides further detail.

## 5.0 Frivolous vexatious or abusive complaints

Our people will always treat you respectfully and with courtesy but we may decide to terminate correspondence before full resolution is reached if we consider the complaint to be frivolous or if it is clear that despite our best efforts, we are unlikely to satisfy you.

If a complaint contains abusive language or is aggressive in tone whether in person, on the phone or in correspondence by any channel, we will reply, but will advise you in our response that this is unacceptable and that we will terminate any further correspondence with you if it continues.

The decision to terminate correspondence will be taken by the Customer Relations Manager and the reasons for the decision will be recorded in our Customer Relations Management System. The Customer Relations Manager will also consult the passenger bodies. We will advise you of our decision including the reason why and provide you with the contact details of the passenger watchdogs and our alternative dispute resolution provider should you wish to take the matter further.

## 6.0 Making it easy to talk to us

We'll ensure that it is as easy for you as possible to contact us and access this document. Copies of the policy are available to download from our website or by contacting our Customer Relations team. We will publicise our contact details on posters on stations and on board our trains, in all our major publications, such as our Passenger's Charter and timetable leaflets, as well as on our website and on social media. We will ensure our complaint forms are easy to find and download from our website, and available from our stations and from on board train employees. We'll always use plain English and avoid using railway jargon in our communications with you.

We understand that some passengers may find it harder to contact us. If you prefer, a carer, support worker or guardian can make a complaint or contact us on your behalf with your authority. All our employees and third party customer contact centre employees receive disability awareness training. We provide a textphone service and can provide copies of our forms and policies in large print or braille format on request from the Customer Relations team. If English is not your first language we will do our best to assist you, but you may find it easier to ask a friend to contact us on your behalf.

## 7.0 Our Customer Relations Team

The complaints handling process at Southeastern is managed by a Customer Relations Manager, who reports to the Head of Customer Service. This role oversees the whole Customer Relations team and ensures all passenger complaints are handled fairly and efficiently and that customer feedback is acted upon.

### Training and Quality Assurance

All of our customer facing team members, including those not directly employed by us such as sub-contractors and agency employees, are trained to help our passengers.

We employ a UK based third party contractor to provide our customer contact centre service. They answer telephone calls and correspondence, including compensation and refunds. Recognising the skills and experience required to handle complex complaints consistently well, we also have a small in-house team based at our head office who provide a specialist complaints handling response service.

We are committed to ensuring that all of Customer Relations team, both our third party supplier and our in-house team, have the knowledge and skills to deal with a complaint about our services. Both teams receive the same training.

All members of our team are recruited following a rigorous customer centric selection process and are trained in customer service and complaints handling. Performance management and quality monitoring processes ensure that all team members provide consistently high quality responses. Each period every team member from customer relations has their work sampled to monitor the quality of response. Our team leaders and quality team also carry out regular

team briefing and refresher training to ensure standards are maintained and any training needs addressed.

## 8.0 Monitoring our performance and driving improvement

Data from our Customer Relations Management System is vital in providing insight into the passenger experience. We use this data along with information from across our business to address the root causes of dissatisfaction and help drive continuous improvement. We review all complaints and feedback we receive. This includes monitoring the volume and reason for complaints as well as analysing the underlying cause and trends. Results are regularly reviewed at all levels of the business from a weekly highlights report to detailed analysis. These are considered at board and executive level on a monthly basis and drive our customer service strategy and our strategic planning process.

We publish data detailing the number of complaints we receive per 1000 customer journeys and the reasons, in our On Board magazine which is available on our website and at stations.

We use industry data such as the ORR data portal and the National Rail Passenger Survey conducted by Transport Focus to benchmark our performance against other train operating companies to identify areas for improvement.

We review this policy annually to make sure that it is effective and complies with any industry changes such as revisions to guidelines. Any changes will be made in consultation with Transport Focus, London TravelWatch, and the Office of Rail and Road. If you have any suggestions about how you think we could improve it, or any other aspects of our service, please let us know.

## 9.0 Useful contact details

Network Rail  
1 Evershoulst Street  
London  
NW1 2DN  
Telephone: 03457 11 41 41  
Website: [communications-crm.custhelp.com](https://communications-crm.custhelp.com)

Transport for London  
TfL Customer Services,  
4th Floor,  
14 Pier Walk,  
London,  
SE10 0ES  
Telephone: 0343 222 1234  
Website: [tfl.gov.uk/help-and-contact/?cid=contact](https://tfl.gov.uk/help-and-contact/?cid=contact)